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United Republic of Tanzania

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I. Introduction, methodology and the broad based consultation process

1. This is the second National Report under the Universal Periodic Review Mechanism (UPRM) of the United Republic of Tanzania which constitutes Tanzania Mainland and Tanzania Zanzibar. The Report has been prepared in compliance with the provisions of paragraph 5(e) of Resolution 60/251, General Guidelines set out in Resolution 5/1 and Resolution No. 17/119.[1]

2. The Attorney General's Chambers is mandated with preparing the National Report under the UPRM. On 16 December, 2014 an initial consultative meeting was held with stakeholders representing State and Non-State Actors from Tanzania Mainland and Tanzania Zanzibar. The outcome of the meeting was: stakeholders were sensitized on the UPR process, a roadmap for writing the Report was validated and stakeholders were requested to submit information on the implementation of the recommendations and developments in the human rights situation since the adoption of the first National Report. This led to a series of communications with stakeholders supplying information which resulted in production of a Draft Report which was validated by the Stakeholders in September 2015.[2] Broad based consultations were the guiding principle in preparing the second National Report which was facilitated by the Government and supported by the One UN-System.

II. Developments since the previous review

A. Background of the country

Population census

3. The 2012 Population and Housing Census results show that Tanzania has a population of 44,928,923 with 43,625,354 in Tanzania Mainland and 1,303,569 in Tanzania Zanzibar. Out of 44,928,923 people 23,058,933 equivalent to 51.3% were female and 21,869,990 equivalent to 48.7% were male.[3]

Administrative regions

4. Regions in Tanzania Mainland have increased from 21 to 25 making a total of 30 Regions in the whole country.

General elections

5. The State held its 5th Multi-party General Elections on the 25th of October, 2015. They were lauded as being free and fair. In Tanzania Zanzibar, the Zanzibar Electoral Commission (ZEC) nullified the elections and declared that re-elections will be held.

B. Normative and institutional framework

Constitution

6. The State completed the process of writing a new Constitution pursuant to the Constitutional Review Act, Cap. 83.[4] The Act also established the Constitutional Review Commission which conducted a nationwide collection of public opinion, production of a draft Constitution and established the Constituent Assembly. The Constituent Assembly

deliberated on the draft Constitution and adopted the Proposed Constitution which is awaiting a Referendum.

Legislation

7. The State has enacted various legislation for the promotion and protection of human rights and fundamental freedoms, these include: the Cyber-crimes Act of 2015; the Statistics Act of 2015; the Disaster Management Act of 2015; the Budget Act of 2015; the Tax Administration Act of 2015; the Whistle Blowers and Witness Protection Act of 2015; the Oil and Gas Revenue Management Act of 2015; the Petroleum Act of 2015; the National Youth Council Act of 2015; the Electronic Transaction Act of 2015; the Non-Citizen (Employment Regulation) Act of 2015 and the Tanzania Extractive Industry (Transparency and Accountability)Act of 2015.

8. The State has also enacted Rules to operationalise legislation for the promotion and protection of human rights including: the Basic Rights and Duties Enforcement (Practice and Procedure) Rules, GN 304 of 2014; 17 Regulations of the Law of the Child Act of 2009 and The Law Reform (Fatal Accidents and Miscellaneous Provisions) (Judicial Review Procedure and Fees) Rules; GN. 324 of 2014.

9. In Tanzania Zanzibar, the following legislation have been enacted: the Children's Act No. 6 of 2011; the Public Service Act No. 2 of 2011; the Establishment of the Chief Government Chemist Laboratory Act No. 10 of 2011; the Zanzibar Food Security and Nutrition Act No. 5 of 2011; the Zanzibar Higher Education Loans Board Act No. 3 of 2011;the Zanzibar Anti-Corruption and Economic Crimes Act No. 1 of 2012; the Public Service (Amendment) Act No. 5 of 2012; the Zanzibar Constituency Development Fund Act No. 4 of 2012; the Public and Environmental Health Act No. 11 of 2012; the Business Entity Registration Act No. 12 of 2012; the Zanzibar Business and Property Registration Agency Act No. 13 of 2012 and the Public and Environmental Health Practitioners Act No. 15 of 2012.

Translation of legislation

10. All laws are being translated from English to Swahili. All legislation enacted in 2015 and some from 2014 have been translated thus a total of 20 legislation have been translated.[5]

Regional and international instruments

11. The State ratified the African Youth Charter of 2006 in 2012.

The judiciary

12. The Judicial Administration Act, No. 4 of 2011 separates the administrative from judicial work of the Judiciary by establishing the Offices of the Chief Court Administrator and the Chief Registrar which became operational in 2014. Section 52(1) of the Act establishes a Judiciary Fund which caters for the expenses of the Judiciary and the Government has continued to increase the Judiciary budget.[6]

13. To enhance access to justice, the time to finalise cases has been set at two years per case. A High Court Judge is to handle a minimum of 220 cases per year; a Resident Magistrate 250 cases per year and a Primary Court Magistrates 260 cases per year.[7] The number of Judges has increased; Judges in the Court of Appeal have increased from 8 in 2005 to 16 in 2015 and High Court Judges from 37 in 2005 to 81 in 2015.

14. There has been an increase in the number of registries of the High Court including the labour Division. The Judiciary continues to construct High Courts, District Courts and

Primary Courts throughout the country.[8] In Tanzania Zanzibar, the Court building is being renovated in Pemba and a Children's Court is being constructed in Northern Unguja.

The National Human Rights Institution

15. The National Human Rights Institution (The Commission for Human Rights and Good Governance (CHRAGG)) retains its "A" Status accreditation by the ICC and new Commissioners were appointed in 2015.[9] The capacity of the CHRAGG has been enhanced with an electronic system of receiving complaints.[10] Further, from 2005 to 2015 the Commission has had its financial and human resources steadily increased.

C. Promotion and protection of human rights: status

The right to work, social security and economic benefits

16. During the review period, the minimum wage was increased from Tsh.65,205 in 2005 to Tsh.300,000 in 2015; the Workers Compensation Board (WCB) established by the Workers Compensation Act of 2008 was operationalised in 2014 and the Social Security Regulatory Authority adopted Rules in 2014 to harmonise the formula for social security benefits.[11]

The right to privacy and personal security

17. The Cybercrimes Act of 2015 was enacted to criminalise offences related to computer systems and information communication technologies and for investigation, collection and use of electronic evidence and related matters. The Act also provides the right to privacy and promotes the security of children as it criminalises pornography.

The right to health

18. The State has taken initiatives to provide access to health care services by increasing the budget to purchase medication and equipment and increasing the number of health care facilities.[12] Over the review period the State enhanced the laboratory in the Region of Mbeya to the strength of testing for Ebola and a National Community Health laboratory which is also used as a referral laboratory by SADC countries was also set up in Mbeya.

HIV/AIDS

19. The Tanzania Commission for Aids (Amendment) Act No. 6 of 2015 established the Aids Trust Fund. It also provides the Commission with the mandate to: advise the Government on new sources of revenue for the purposes of ensuring adequate and sustainable flow of money into the fund as well as to promote prevention of new infections. In Tanzania Zanzibar, the Zanzibar HIV and AIDS Prevention Act was enacted in 2013 for the protection and promotion of rights of persons living with or affected by HIV and AIDS. Also, the National Prevention of Mother to Child HIV transmission (PMTCT) programs were established in both Tanzania mainland and Tanzania Zanzibar.[13]

Malaria

20. The State established the 2014-2020 Action Plan to control and prevent malaria by implementing various initiatives to reduce malaria. These include promoting the use of and free distribution of nets to children which has helped save the lives of 60,000 children who otherwise die annually. The number of patients suffering from malaria has reduced from 326 per 1,000 in 2009 to 161 per 1,000 in 2014.

The right to a clean and healthy environment

21. The Petroleum Act of 2015 incorporates provisions for environmental protection by stipulating an environmental assessment be conducted before any project is undertaken.

The right to participate in public affairs

22. The Voters Register was reviewed in anticipation of the General Elections and a biometric voters registration system was used for the first time during the 2015 General Elections to enhance efficiency.

Review of laws

23. The Law Reform Commission (LRC) prepared reports on Review of the Civil Justice System and Review of the Legal Framework on Land Disputes Settlement in Tanzania, and submitted them to the Minister for Constitutional and Legal Affairs in 2012 and 2014 respectively.[14] The Commission is currently reviewing international instruments signed or ratified by the State with a view of identifying problems affecting their implementation.[15] The Commission is also reviewing laws concerning Elderly Social Care, the Criminal Justice System in Tanzania[16] and the legal framework on consumer protection in Tanzania.[17]

National awareness programs

24. The State continues to conduct public awareness on human rights and the rights of vulnerable groups annually during National celebrations of Human Rights Day; Sixteen days of Activism; The Day of the African Child; African Day of Human Rights, International Day for the Elderly and National Albinism Day.

Strategies

25. The National Child Justice Reform Strategy (2013–2017) was established in Tanzania Mainland and the Child Justice Reform Strategy (2013–2018) in Tanzania Zanzibar.

Human rights reporting

26. The State continues to cooperate with International Human Rights Mechanisms. The Initial to Third Periodic Report under the International Covenant on Economic Social and Cultural Rights[18] and the consolidated 3rd, 4th and 5th Report on the Convention on the Rights of the Child[19] were considered by various UN Committees. The State's consolidated 7th and 8th Report on the Convention on the Elimination of all forms of Discrimination against Women will be considered in February 2016.

Mission visits

27. The State received the African Commission on Human and Peoples' Rights Working Group on Indigenous Populations/ Committee from 21st January to 6th February 2013. The Research and Information Visit Report was launched in November, 2015 and the State is examining the recommendations issued. In June, 2015 the State received the African Union Committee of Experts on the Rights and Welfare of the Child.

III. Progress made in the follow-up to the previous review

28. The State accepted a total of 107 Recommendations at the adoption of its First National Report. These recommendations were clustered into thematic areas with consent of stakeholders when disseminating the Recommendations initially in December, 2011.

Ratification and domestication of instruments

29. The State is still assessing feasibility of ratifying the Agreement on the Privileges and Immunities of the ICC[20] and is yet to find need to fully integrate the Rome Statute in domestic legislation as existing mechanisms are sufficient. The State studied the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and it came to light a number of issues contained in the Convention are not in line with our laws.[21] It is for these reasons of variance with National laws that there have been no developments in ratifying the Convention. Further, the current labour law framework is sufficient in addressing these issues. The State has enacted the Non Citizens (Employment Regulation) Act of 2015 which seeks to regulate and realign the legal framework for employment and engagement in other occupations in Tanzania Mainland.

30. The Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment is yet to be ratified as the State still retains the death penalty.[22] With regard to ratification of the Convention for the Protection of All Persons from Enforced Disappearance the State is still studying the technical and financial implications of ratification. However, the existing legal framework provides remedies for victims in the event of such incidences.[23]

Human rights training and education

31. The Medium Term Human Rights Education strategic Plan (2011/12-2015/16) was established to improve human rights knowledge of students, teachers and other civil servants in the education sector. While in Tanzania Zanzibar the curriculum has incorporated human rights related issues.

The National Human Rights Action Plan

32. The National Human Rights Action Plan (NHRAP) was launched on 10th December 2013.[24] It is the national framework for the promotion and protection of human rights and is a five year strategy from 2013 to 2017. It is being implemented in Tanzania Mainland and Tanzania Zanzibar by Government actors, civil society and the private sector. It has a monitoring and evaluation mechanism coordinated by the CHRAGG. The UPR recommendations were incorporated into the NHRAP for implementation purposes.[25] The CHRAGG has conducted various trainings and seminars for Government Officers[26] on the implementation, monitoring and evaluation of the NHRAP and a total of 3,500 copies of the NHRAP have been distributed. As part of the implementation of the NHRAP activities, a total of 109 Magistrates were trained on case flow management and 80 Officers from the Government and CSOs were trained on how to deal with people with disabilities and juvenile justice skills.

Anti-corruption measures

33. The Second National Anti-Corruption Strategic Action Plan (NAPSAC II) ended in 2014 and the State is currently preparing NAPSAC III.[27] The Prevention and Combating of Corruption Bureau (PCCB) has been provided with more resources including working tools, financial resources, human capacity and offices have been constructed in all Regions and Districts. An Asset Recovery and Forfeiture Unit within the Division of Public

Prosecutions at the Attorney General's Chambers was established in 2012[28] and the Whistle-Blowers Act of 2015 was enacted to protect people who provide information on corruption. The PCCB has held public awareness programs to increase public support in the fight against corruption.[29]

34. In Tanzania Zanzibar, an Anti-Corruption and Economic Crimes Act was enacted in 2012[30] which establishes the Zanzibar Anti-Corruption and Economic Crimes Authority (ZAECA)[31]. A strategy for the effective implementation of the Act is in place and an anti-corruption curriculum has been incorporated in schools under the Ministry of Education.

Women's rights

35. The Proposed Constitution considers women rights and provides women with equal rights as men on inheritance, succession and land issues. The State will embark on amendment of the to laws to enhance equality between men, women and children in succession, inheritance and land issues when the Proposed Constitution is adopted.

36. Currently, the Land Act No. 4 of 1999, the Village Land Act No. 5 of 1999 provide women with the right to own land and participate on equal basis with men, in land decision making bodies. In Tanzania Zanzibar, the Land Tenure Act No. 12 of 1992 provides for similar provisions while the Land Tribunal Act No. 7 of 1994 establishes the Land Tribunal which enforces the provisions of the Land Tenure Act, thereby guaranteeing equality of men and women in land ownership and use. There is also a Registered Land Act No. 10 of 1990 which provides for the appointment of a Land Registrar. It is also worth to state that the current Land Registrar is a woman.

Non-discrimination and equality measures

37. Tanzania Mainland is reviewing the National Gender Policy to replace the Gender and Women Development policy 2000 in order to incorporate current emerging issues.

38. In Tanzania Zanzibar, the Women Protection and Development Policy of 2001 is being reviewed with a view of creating the Zanzibar Gender Policy. In order to emancipate women in rural areas, 14 Women Information Windows have been established at the Ward level which provide rural women with information on health, education, legal issues, human rights, entrepreneurship skills, land rights and income generation projects. Further, the Proposed Constitution provides for the per centum of women in Parliament to be at 50%.

Violence against women and children

39. The State continued to implement its National Action Plan for Prevention and Eradication of Violence against Women and Children (2001–2015) as follows: A National Multi-Sectoral Committee to Prevent and Respond to Violence against Women and Children and Child protection teams established and the Tanzania Teachers' Code of Conduct and Professional Ethics of 1963 is under review to include specific measures on promotion of child rights and zero-tolerance for violence against children in schools. A child free help line was launched on 14th June, 2013[32] and one Stop Centers for child abuse victims were established.[33] The State has also developed a roadmap for raising awareness on Violence against Children and Gender Based Violence (2014–2016).[34] The State continues to be part of a Great Lakes Region campaign on Sex and Gender Based Violence "DECLARE ZERO TOLERANCE NOW" (SGBV) launched in 2012.

40. In Tanzania Zanzibar, Gender based violence (GBV) committees have been established at Village, Ward, District and National level with guidelines for prevention of GBV and there is a National GBV Register Board that records cases of violence against women and children. A call help line was established in 2015 with number 116 to report

and receive assistance from incidences of violence and One Stop Centers have been established.[35] Currently, VAC cases are highly reported due to availability of such services and a shelter house has been designated to accommodate survivors of GBV. Also, 417 Gender and Children Desks are in place in major Police Stations around the country which have developed and harmonized Standard Operating procedures(SOP).[36] To that effect, 1,196 Police Officers have been trained on the SOP and their guidelines.

41. Capacity building for health care managers was held in both parts of the Union[37]. In the Lake Zone where GBV is predominant, training on combating and elimination of GBV was held for 281 law enforcers.[38] In Tanzania Zanzibar, the President launched an awareness raising campaign on eradication of violence against women on the 6th December 2014 and a Plan of Action for the implementation of the campaign for women and children is in place[39]. Similarly, Government officials wear orange T-shirts on the 25th day of every month to raise awareness in the community. This goes hand in hand with Community radio sensitization programe.[40]

42. Elements of domestic violence are criminalized under the Penal Code [Cap 16 R.E 2002] and the Zanzibar Penal Act No. 6 of 2004 which criminalize grievous bodily harm and assault being key elements of domestic violence. Further, obstacles to attaining a police report prior to obtaining medical attention have been removed.[41] In Tanzania Zanzibar parenting groups have been established at the grassroots level (*Shehia)* and are being strengthened to provide care to parents and children.[42] In Tanzania Mainland Section 130 of The Penal Code [Cap 16 RE 2002] criminalizes rape[43] and in Tanzania Zanzibar Section 125(1) of the Penal Act No. 6 of 2004 criminalizes rape.[44]

43. Section 169A of The Penal Code [Cap 16 RE 2002] criminalizes Female Genital Mutilation (FGM) of girls under the age of 18 years in Tanzania Mainland. Also, the National Plan of Action for Prevention and Eradication of FGM 2001-2015 is designated for review in 2016 while the National Plan of Action to Accelerate the Eradication of FGM and Other Harmful Traditional Practices and the National Human Rights Action Plan 2013-2017 are operational.[45] Further, the National Policy on Childhood Care and Development which addressed FGM is at the validation and approval stages.[46]

44. FGM cases are being successfully prosecuted in the criminal justice system as a result of awareness raising and capacity building.[47] Programmes for alternative sources of income for those who perform FGM as means of livelihood have been devised and the State in collaboration with CSO's continues the implementation of the ***'Stop Female Genital Mutilation'*** campaign which is changing people's attitudes towards FGM.

Witchcraft killings of elderly women

45. All killings are criminalized under Section 196 of the Penal Code [Cap 16 Re 2002] as murder. The State is in the process of reviewing the Witchcraft Act Cap, 18 and the Traditional and Alternative Medicines Act, No. 23 of 2012 with a view of using the legislation to combat witchcraft and witchcraft killings. The State also continues to register traditional healers and places parameters to their activities. Further, the NHRAP promotes rights of the elderly by addressing issues of witchcraft associated killings. The National Aging policy of 2003 is being reviewed and a Bill is being prepared to protect the elderly. Further, 17 safe homes for elderly persons have been established to support survivors of witchcraft killings.

Women participation in decision making positions

46. Statistics for women in decision making positions show an increase in trend.[48] In 2005 there were 62 women Members of Parliament while in 2015 there were 127. In 2015, there were 10 women Ministers, 5 Deputy Ministers, 32 Judges in the High Court, 5 in the

Court of Appeal, 53 District Commissioners and 7 women Regional Commissioners. In higher learning institutions the number of female students increased from 10,039 in 2005 to 78,800 in 2014.[49] Further, the State gained a female Vice President for the first time in 2015 and a female Deputy Attorney General. Also, during the 2015 General Elections, there were female presidential candidate among the contestants.

Persons with disabilities

47. The State continues to implement national legislation on the rights of persons with disabilities and identification of people with disabilities by age, gender and location was done through the National Population and Housing Census of 2012. The State has reviewed the National Health Exemption Guidelines to include elderly people and people living with disabilities and 43 rehabilitation centers have been established. In Tanzania Zanzibar, there is a Disability Fund, a National Council for Persons with Disabilities and a Department of Disability Affairs at the Ministry of State-Office of the 1st Vice President. There are also focal persons for disability affairs at every Ministry and immunization programs are held specifically for children with disabilities.

48. The State has taken several measures to ensure access to education for children with disabilities, including the adoption of the New Education and Training Policy in 2014[50] and an Inclusive Education Strategy (IE) 2012-2017.[51] The State has also established an Educational Support and Resource Centre (ESRAC) in Dar es Salaam and five (5) Districts Councils have identified spaces to establish ESRAC's for the purpose of detection and identification of children with special needs. Guidelines on Early Identification and Interventions for Children with Special Needs were developed in 2013.[52] In Tanzania Zanzibar, the Persons with Disabilities (Rights and Privileges) Act No. 9 of 2006 continues to be implemented as an inclusive education system has been developed where every District has at least one inclusion education program in line with various policy to ensure children with disabilities access education.[53]

49. The National Pension Schemes have addressed disability concerns at the work place and the State has developed a guideline for employers on how to support their employees with disabilities with technical devices. The legislative framework and policies have enabled the presence of special needs officers in 168 Districts. The State continues to raise awareness on the rights of persons with disabilities through national awareness forums such as Disability Day, White Cane Day and World Braille Day.

Persons with Albinism (PWA's)

50. Standby committees have been established at the Ministerial level such as the Ministry of Home Affairs to look into the protection of persons with albinism. Similarly, Permanent Child Protection Committees have been established at the Ministerial level to provide protection at the house hold level.[54] Further, the NHRAP addresses issues of the rights of PWAs and the State voted in favor of the UN Resolution to hold Persons with Albinism Day annually to raise awareness on non-discrimination and their protection.[55] The State also established temporary protection centers for children with albinism in 3 Regions.[56]

51. The State continues to prioritise investigation, prosecution and trial of cases where PWA's are victims. Standing operation task forces have been established specifically to respond to the attacks and killings of persons with albinism. These efforts have led to the decline of albino killings particularly in the election year 2015. The police continue to educate citizens in regions where there is prevalence of the attacks.[57] Further, a holistic approach to assessing the problem was undertaken by the State whereby the Police, Public Prosecutors and the NGO Under the Same Sun visited Regions with the most prevalent attacks and killings of PWA's in 2015.

Human trafficking

52. Regulations are being created for the implementation of the Anti-trafficking in Persons Act (2008), which are now at the final stages of *gazetting* and the State launched a new National Anti-Trafficking in Persons Action Plan (2015–2017).[58] In 2013, the Tanzania Police Force established the Community Police Unit which, among other things, deals with raising awareness to the community on the issues relating to, *inter alia*, anti-trafficking.

53. The State, in collaboration with the International Organization for Migration (IMO), conducted special trainings of Police Officers on how to identify and detect perpetrators and victims of human trafficking.[59] Through this collaboration, training on trafficking issues for public prosecutors, Magistrates and social workers were also held in 2012 and 2013. In 2014, journalists were trained on ethical reporting of human trafficking cases and Media Guidelines on how to report cases of human trafficking without re-victimizing the victims were developed.[60]

Accountability of Law Enforcements Officers

54. There are disciplinary measures within Law Enforcement Institutions and punitive measures as per the Penal code to hold law enforcement officers accountable.[61] Also, a complaints unit within the Police Department at the Ministry of Home Affairs oversees complaints against its Officers. In the year 2014/2015 disciplinary measures were taken against 300 police officers whereby 118 were summarily dismissed and 19 were charged in the ordinary civilian Courts.[62] In the year 2014/15, the Police Force raised the vetting requirements of police recruits joining the force so that only those of high integrity are employed.

Marginalised and vulnerable population

55. Through TASAF, there have been interventions in Tanzania Mainland and Tanzania Zanzibar such as conditional cash transfers and public works programs which provide temporary employment to enrolled poor household to work on labor intensive activities while providing income support and contributing to creation of community assets. There are livelihood enhancement programs which aim at contributing to building the foundation for graduation out of poverty by enhancing households' ability to support themselves through strengthened and diversified livelihoods.[63]

56. In Tanzania Zanzibar the Social Protection Policy of 2014 which addresses the challenges in the communities including vulnerable groups and unemployed youth has been adopted. Elderly homes and provides an allowance of Tsh. 40,000/- for every elderly person living therein. Identification of elderly people has been concluded and from April 2016, every elderly person will be given an allowance of Tsh. 20,000/= per month. A policy of assisting women who deliver more than two babies at once by giving them an allowance of 40,000/= per month has been adopted.

Prison conditions

57. The Community Service Act, Cap. 291 continues to be implemented to reduce overcrowding in prisons[64] and a concept note to amend the National Parole Board Act, [Cap. 400 RE. 2002] to allow more prisoners to serve community service sentences has been prepared[65]. Further, under the Presidential Amnesty 24,772 prisoners were pardoned between 2011 to April 2015.[66] Also, a National Criminal Justice Forum has been established to improve justice delivery and decongestion in prisons.[67] Further, to facilitate The National Prison Policy, an implementation strategy was created in 2014 which requires the State to adhere to international human rights prison standards.[68] Also, between May

2008 to June 2014, the Legal Sector Reform Program purchased 14 Prison buses while the State purchased 17 buses across the country. These initiatives have reduced non-attendance of inmates in court sessions and enhanced the disposal of cases.

58. There has been rehabilitation of dormitories, latrines, and sewage system in the prisons.[69] Further, the State in cooperation with stakeholders such as Farm Access has built 12 health centers in central prisons.[70] Also, the National Health Insurance Fund (NHIF) has devised a program to improve health services in prisons. In Tanzania Zanzibar, a prison is being constructed in Hanyegwa Mchana to reduce congestion and efforts are ongoing to improve living conditions of prisoners.

Children's rights

59. There is a specific provision on children's rights (Article 53) in the Proposed Constitution to guarantee the rights of children. The State has also continued to implement and respect the Law of the Child Act by developing several sets of Regulations, which cover various areas of child protection provided for in the Act.[71] Other efforts include implementation of the under five and the 6 - 18 birth registrations initiative where free birth certificates are given in pilot areas.[72]

60. The State has developed Guidelines and Standard Operating Procedures (SOP)s on how to handle children's cases at the Gender and Children Desks and developed training manuals on cases involving children in police stations and in Courts.[73] Furtner, 162 State Attorneys were trained on the law of the Child and how to prosecute children's case. In both Tanzania Mainland and Tanzania Zanzibar Rules have been adopted[74] to, *inter alia*, regulate the administration of juvenile justice. Rules for the Zanzibar Children's Court are at final stage of adoption.

61. The Law of the Child (Child Employment) Regulations GN 196 of 2012 prohibits employment of a child under the age of fourteen years and the State continued to implement the National Action Plan for the Elimination of Child Labour (2009–2015).[75] Awareness raising has reached 35 Districts where in each District averages of 25 participants attended and were made aware of child labour issues and their roles in National Action Plan. Further, an objective in the NHRAP is to implement effective sanctions to address issues of child labour.[76]

62. The State held training sessions on the elimination of the worst forms of child labour in the context of the "National Plan of Action for Elimination of Child Labour 2009-2015" to District Social Welfare Officers, Police Officers, District Community Development Officers, District Labour Officers, District Medical Officers, Judicial Officials and representatives of various CSOs[77]. The State in collaboration with the ILO and the Government of Brazil has trained 35 workers in CSOs and 190 workers in Local Authorities on child labour issues.

63. The State established the Child Labor Monitoring System (CLMS) which has contributed to withdrawing children from child labor through the ILO Red Card Anti-child labor campaign. The CLMS is comprised of Child Labour Elimination Committees at the National, District and Village level.[78] The State is also undertaking to ensure that extractive industries end child labour through projects supported by PROSPER,[79] Plan International and WEKEZA[80]. The State has collaborated with Small–Scale Miners Associations and raised awareness on effects of child labour and the legal prohibitions. This campaign led some villages in the Geita Region to adopt By-Laws, which prohibit child employment in mines and agricultural activities.

64. Tanzania Zanzibar, has also continued to effectively implement the National Action Plan for the Elimination of Child Labour (2009–2015). A Multi-sectoral Technical Working Group for Child Labour and a Child Labour Steering Committee have been

established and strengthened to support the child labour issues. Zanzibar also developed and implemented Guidelines with the same objective and achieved returning a total number of 5,067 children at school and Madrasa through the Fighting Child Labour Project.[81]

65. Further, Ministerial collaboration between the Ministry of Labour and the Ministry for Trade, Tourism and Market, have been regulating business enterprises, including regulations issued by Zanzibar Investment and Promotion Authority (ZIPA) to ensure investors abide by investment regulations and that labour inspections are conducted daily to assess whether children rights are violated. Similarly, the Child Labour Programme 2012-14, which aimed at removing 5,000 children from child labour resulted in more than 3,620 children removed from child labour.

International/transnational crimes against children

66. Section 83 of the Law of the Child Act No. 21/2009 and section 13 of the Cyber Crimes Act No.14 (2015) prohibit access to child pornography. The Mutual Assistance in Criminal Matters Act, Cap 254 provides for mutual assistance in criminal matters between Tanzania and foreign countries; to facilitate the provision and obtaining of such assistance; and to provide for related matters. The Extradition Act, Cap 368 provides for the extradition procedure of criminals and related matters.

67. The Anti-Trafficking in Persons Task force trained Local Government Authorities on prevention of child trafficking who subsequently developed by-laws in their respective villages to prevent child trafficking. The Task Force also developed awareness raising materials on prevention of child trafficking and human trafficking in general.[82] Under the period of review 466 professionals working with children[83] were trained on child protection in the course of implementing the child protection system strengthening programme.

Street children

68. The State developed the National Coasted Plan of Action for Most Vulnerable Children II 2013–2017 (NCPA II) launched in February, 2013.[84] It defines children living and working in the streets as among the most vulnerable children category in Tanzania and the target group of NCPA II. Child Protection System Guidelines were created to facilitate the NCPA II and Child Protection systems have been scaled up to 17 District Councils of Tanzania mainland.

69. The State has developed a Community Based Strategic Plan of 2013 to address children living and working in the streets. It is the plan through which the State has established a joint emergency, short-term and long-term care and protection mechanism street children and other vulnerable children. An output is a joint project between the State and three NGOs (KIWOHEDE, Dogodogo and MAKINI) which responds to the urgent need of the situation of children in the streets of Dar es Salaam.[85] Also, a Rapid Assessment Survey Report for Street Children was launched in 2012 with Dar es Salaam region as a pilot area[86].

Education

70. Education remains a top priority for the Government. The Tanzania Education Authority Act, Cap 412 was amended to enable the Education Fund to increase its sources of income and make the Fund sustainable[87]. A new Education and Training Policy was created in 2014 and the Teachers Education Board Bill and the Primary and Secondary Education Curriculum and Control Authority Bill are at various stages of preparation. Further, the President of the United Republic of Tanzania directed that from January 2016, primary and secondary education will be free.

71. Education took up 24% of the National Budget in 2015/2016[88] and is a priority as reflected in various development agendas such as the 2025 Development Vision, MKUKUTA II and MKUZA II bolstered by the Big Results Now (BRN) initiative[89]. The BRN is its own development outlook with education as a key priority. It began in the 2013/2014 financial year and has had the following outcomes: 56 schools of the intended 264 were constructed in the first phase of the initiative. Generally, school enrollment continues to increase and the State continues to build capacity of teachers.[90]

72. In Tanzania Zanzibar, the Zanzibar Education Policy of 2005 was translated into Swahili and total of 500 copies supplied to both private and public schools. Further, the primary school curriculum has been reviewed to incorporate emerging and global issues. As part of efforts to reduce overcrowding in classrooms and in order to achieve the objectives set by Zanzibar Education Development Plan (ZEDP), there has been rehabilitation and construction of classrooms and schools to reduce pupil-classroom ratio.[91]

73. The number of trained teachers for basic education increased steadily from 4,395 in 2001 to 9,503 in 2013 and the number of untrained teachers has been decreasing steadily from 1,279 in 2001 to 391 in 2013.[92] [93] Primary school enrollment continues to increase from 252,938 students in 2013/2014 to 262,212 students in 2014/15.

Health

74. The State continues to implement Section 19 of the Public Health Act. No. 1 of 2009 which obligates every pregnant woman to immunize against tetanus and any other infectious diseases. The Act also requires every parent or guardian to ensure that her/his child born in Tanzania Mainland is immunized.[94]

75. The State has continued to implement the 2008-2015 Action Plan to Accelerate Reduction of Infant deaths and births. As a result, infant mortality under the age of 5 years has reduced from 147 deaths in 1999 to 54 deaths in 2013 for every 1,000 births. On 15th May 2014, the President of the United Republic of Tanzania inaugurated the Maternal Strategic Plan 2014/2020 aiming at reducing maternal mortality. Other State efforts include building 9,997 health facilities in every Ward and opening 64 cervical cancer diagnosis centres in 16 Regions in Tanzania Mainland and 2 in Tanzania Zanzibar. Equipment was purchased for the centers and 213 health personnel were trained on their use. Awareness raising campaigns have been held to encourage women to deliver in hospitals, as a result the number of women giving birth in hospitals has increased from 56.6% in 2013 to 68.3% in 2014.

76. In Tanzania Zanzibar, post-natal care guidelines were produced in 2013 and Guidelines on sexual reproductive health in 2014. Further, Kangaroo Mother Care Units have been established to care for premature babies and the immunization program of children under the age of 5 years has been extended.

Freedom of expression/association and assembly

77. The Media Services Bill, 2015 and the Access to Information Bill, 2015 have both undergone a first reading and are waiting for contributions from stakeholders. The State is amending the Information and Broadcasting Policy of 2003 to harmonise it with technological changes in the information sector. There are 16 daily newspapers out of which 2 are Government owned, 62 weekly newspapers, 115 Radio Stations and 29 Television Stations. Similarly, as of 17th March 2014 a total of 6,427 Non-Government Organizations were registered.

78. The Political Parties Act has been amended and olitical parties continue to be registered with an increase from 18 in 2005 to 24 in 2015. Also, political parties constituted the Constitutional Assembly during the Constitutional Review Process and the Proposed

Constitution provides for a Constitutional Office for the Registrar of Political Parties. Further, a Public Government website is in place and since 2007 a total of 117,243 communications have been received, out of which the Government has addressed 78,258 which specifically concern it[95].

Assistance from the international community

79. The State received financial and technical assistance from the international community in the following programs and initiatives: the NHRAP[96]; maternal and child mortality reduction projects[97]; increasing access to education,[98] reporting to human rights mechanisms and the UPR Report.[99]

80. Other ongoing developing programs with assistance from the international community include: Agricultural Sector Development Program – ASDP, Eastern Africa Agricultural Productivity Program – EAAPP, Japan Policy and Human Resources Development – PHRD and Southern Agricultural Growth Corridor of Tanzania – SAGCOT.

Development efforts

81. In continuing with the efforts of achieving the development goals set in Tanzania Development Vision 2015, the State has been using social economic strategies and plans in combating poverty by prioritizing specific development projects each year and providing a budget to finance these projects which in turn raise the living standards of Tanzanians.[100] The State continues to implement its activities under the MKUKUTA II and MKUZA II development agenda and is committed to the recently launched United Nations Sustainable Development Goals (SDGs).

82. To hasten development the State embarked on the Big Results Now (BRN) initiative in 2013 which aims at adopting new methods of working under specified timeframe for delivery of the step change required. It focuses on six key areas being: energy and natural gas, agriculture, water, education, transport and mobilization of resources.

Right to food

83. To further develop agriculture, the State adopted a new National Agriculture Policy of 2013 which recognizes, protects and promotes food security and nutrition. It contains policy statements which advocate for: national food security, enhanced safety and nutrition through production and accessibility and utilization of sufficient quantity and quality of food.

84. The State continues to implement the National Irrigation Policy of 2010 which recognizes irrigation as essential for increased productivity and production in mitigating vagaries of weather and food insecurity. Thus irrigated agriculture in a sustainable manner is advocated in the policy in order to ensure food security and poverty reduction.

Access to adequate, safe and clean drinking water

85. The State continues to implement the Water Policy of 2002[101] which is strengthened by MKUKUTA II and MKUZA II with the goal of increasing access to clean and safe water, sanitation and hygiene by improving access to safe drinking water in urban and rural areas and sanitation facilities in households and public places. Realization of the goal includes construction and rehabilitation of water infrastructure in urban and rural areas[102].

86. In Tanzania Zanzibar there are urban and rural water supply and sanitation projects; one aims at providing safe and clean water in rural areas in Unguja and Pemba[103] and the other aims at constructing infrastructure to provide clean and safe water in Stone-town.[104]

Further, as part of desalination and treatment of water project, RO desalination plant was set up in Michamvi Village and a Water Treatment plant (UV system) was set up in Kijitoupele area.

Collaborate with civil society

87. The State continues to collaborate with Civil Society who are key stakeholders in the promotion and protection of human rights reports and are also involved in the preparation, validation and dissemination of Reports, concluding observations and recommendations. Civil Society was involved during the dissemination of the UPR Recommendations.

88. The UPR Recommendations were incorporated into the NHRAP which pulls together all stakeholders of human rights in the implementation process. Further, the preparation of the NHRAP was a consultative process in which civil society participated, both the State and Civil Society have designated areas to implement and report and civil society is involved in the monitoring and evaluation process. Further, enactment of the Public Private Partnership Act (2010) Regulations in 2011 has enabled the State to collaborate with the private sector in various human rights projects.

Corporate social responsibility

89. Tanzania is committed to promoting the concept of Corporate Social Responsibility. The Natural Gas Policy of 2015, the Petroleum Act of 2015 and the Tanzania Extractive Industries, Transparency and Accountability Act of 2015, provide for corporate companies to have corporate social responsibility activities.

90. The State has ratified ILO Conventions and implements them through its Employment and Labour legislation.[105] The NHRAP also seeks to address issues related to human rights and business.[106]

IV. Achievements

A. Fifty years of Union

91. The State celebrated fifty (50) years of Union between Tanzania Mainland and Tanzania Zanzibar in 2014.

B. Peaceful elections

92. The State peacefully conducted its 5th Multiparty elections on 25th October, 2015.

C. Increase of women in leadership and decision making roles

93. There has been a significant increase in the number of women in leadership and decision making roles as reflected in paragraph 47 above.

D. Adoption of the proposed constitution

94. Tanzania successfully conducted its Constitutional review process and there is a Proposed Constitution awaiting a Referendum.

E. Adoption of the National Human Rights Action Plan

95. The National Human Rights Action Plan 2013-2017 launched on 10 December, 2013 provides the national framework for the promotion and protection of human rights in the State.

F. Operationalisation of the Judiciary Administration Act No. 4 of 2011

96. Operationalisation of the Act has led to separation of the judicial from administrative work of the Judiciary which is enhancing service delivery.

G. Coming into force of the Social Security Schemes (Pension Benefits Harmonisation) Rules, 2014

97. Harmonisation of the Social Security Schemes (Pension Benefits Harmonisation) Rules in 2014 has provided workers and employees with the right to join a social security pension scheme of their choice.

V. Challenges and constraints

A. Corruption

98. Corruption is an ongoing challenge which affects all areas of society and hinders individual and national development. The State is committed to tackling corruption and is currently considering establishing a High Court Registry/Court to deal with grand corruption cases.

B. Land disputes

99. Disputes between farmers and pastoralists is a national concern. The State has began identifying and designating areas specifically for farmers and pastoralists.

C. Clean and safe water

100. Access to clean and safe water is another challenge. The State is in the process of drilling deep boreholes as part of the solution.

D. Access to healthcare

101. The Healthcare sector faces various challenges and the State is determined to address this situation by increasing and modernizing hospitals, training medical practitioners and ensuring hospital pharmacies are well stocked and affordable.

E. Financial constraints for the promotion and protection of human rights

102. Budget constrains hinder awareness raising activities, implementing the National Human Rights Action Plan and preparing National human rights reports to treaty bodies in time.

VI. Key national priorities and commitments

1. Implementation of the National Development Vision 2025 and the National Strategies for Growth and Reduction of Poverty (MKUKUTA II and MKUZA II).
2. Solidification of the Union.
3. Free basic education for all from nursery school level to secondary school. The Government has abolished school fees in all Government schools and is in the process of regulating school fees in the private sector.
4. The Government has prioritised Anti-Corruption measures as part of its national agenda on Good Governance.
5. To combat tax evasion and to strengthen the tax collection system in order to fund development projects and improve delivery of services. This goes hand in hand with reducing Government expenditure.
6. To finalise the Referendum stage of the Constitutional Review Process.
7. Implementation of the National Human Rights Action Plan.
8. Establishment of a framework to provide for and coordinate legal aid issues.
9. Timely preparation and submission of State Party reports.

VII. Expectations of the State in terms of capacity-building and requests, if any, for technical assistance and support received

103. The Government of the United Republic of Tanzania requests technical and financial support in the following areas:

(a) Human rights training and awareness programs;

(b) Preparation and submission of human rights reports under the International Covenant on Civil and Political Rights, the Convention on the Rights of Persons with Disabilities, the International Convention on the Elimination of Racial Discrimination and the African Charter on Human and Peoples' Rights;

(c) Implementation of the National Human Rights Action Plan.

Notes

[1] The Resolution was adopted by the UN General Assembly on 15th March 2006 in accordance with the General Guidelines set out in Resolution 5/1 adopted by the Human Rights Council on 18 June 2007 and its follow up Resolution No. 17/119 adopted by the Human Rights Council at its 35th meeting, on 17 June 2011.

[2] A three day workshop was held from 1-3 September, 2015 to validate the Draft Report followed by a Five day Working Retreat for Officials from both Tanzania Mainland and Tanzania Zanzibar from 26-30th November, 2015 to finalise writing the Report.

[3] In Tanzania Mainland male are 21,239,313 and 22,386,041 are female. While in Tanzania Zanzibar, male are 630,677 and female are 672,892. The results of the census have assisted the Government to effectively plan for the realization of economic, social, civil and political rights of the people.

[4] The Constitutional Review Act, Cap 83 was enacted in April 2013 by the time of the adoption of the first National Report. The Constitutional Review Act provides for transparency and inclusion of the people at all stages of the Review Process. The Constitutional Review Commission and the people were given the opportunity to table their opinion to the Commission through various mechanisms such as public hearings, letters and by email. Further, The Constituent Assembly was composed of diverse groups reflecting and representing varied sections of the Tanzanian society such as persons with disabilities, women and religious groups. The Proposed Constitution was subject to rigorous debate and a voting process in the spirit of transparency and accountability during the Constituent Assembly and the outcome was the Proposed Constitution. The Proposed Constitution is quite progressive as the Bill of Rights contains the three generation of human rights.

[5] Laws are currently enacted in both languages and those enacted previously in the English language are being translated from English to Swahili.

[6] The budget of the Judiciary was increased from 36.6 billion shillings in the year 2006/7 to 87.6 billion in the year 2015/16.

[7] The time frame and number of cases assigned commences from receiving the matter to its determination.

[8] 2 Regional High Courts in Shinyanga and Kagera Regions, 2 District Courts and 12 Primary Courts were constructed by 2015. There is also ongoing construction of 9 Regional High Courts, 9 District Courts and 25 Primary Courts.

[9] The National Human Rights Institution (NHRI) is the Commission for Human Rights and Good Governance (CHRAGG).It is an active member of the International Ombudsman Institute (IOI) and a member of the International Coordination Committee (ICC) of National Human Rights Institutions. It is as NHRI which complies with Paris Principles.

[10] The number of complaints received by the Commission increased from 9,455 complaints in 2006 to 25,921 complaints in 2014. The electronic system of receiving complaints increased its capacity to deal with complaints as it handled 3,021 complaints in 2005 and 18,501 complaints in 2014.

[11] The harmonisaton of social schemes provides workers with the right to join any social security pension scheme they wish.

[12] The Budget for purchase of medication and equipment increased from Tsh. 40.6 billion in 2005 to Tsh.147 billion 2014. Health care, healthcare facilities have increased from 6,260 in 2010 to 7,014 in 2015 which is an increase of 754 facilities. The National Hospital has been capacitated by purchasing medical equipment including an MRI, CT-Scan, X-ray and Ultra-sound machines.

[13] It addresses provision of treatment, care and support to women infected with HIV and their infants.

[14] The review is aimed at enhancing access to justice before the Courts of law by expediting cases and reducing costs.

[15] The objective of the Review is to come up with recommendations which will enable Tanzania to implement all International Instruments duly signed and ratified.

[16] The purpose of the review is to identify all impediments that underlie access to justice and come up with plausible solutions to remove the impediments and enhance access to criminal justice.

[17] The review among other things, aims to enhance human rights protection to the elderly and to consumers respectively in Tanzania.

[18] The Report was considered in 2012.

[19] The Report was considered in January 2015.

[20] The International Criminal Court.

[21] For example Article 49(2) of the Convention provides that migrant workers should not be regarded as being in an irregular situation nor shall they lose their authorization of residence by mere fact of the termination of their remunerated activity prior to the expiration of their work permits or similar authorization. However section 20(2) of the Immigration Act [Cap 20 RE 2002] provides that a person who has been offered a specific employment in Tanzania and is granted a Class "B" Resident Permit, is permitted to enter and remain in Tanzania subject to the conditions prescribed by the Immigration Act. Also, Section 20(3) (a) and (b) provides that the presence of that person will be unlawfull if he/she fails or ceases to be engaged in the employment specified in the permit or is engages on any terms in any employment other than the one specified in the permit.
Further, Article 8(2) of the Convention provides for the right at any time to enter and remain in their State of Origin and Article 8(2) freedom to leave any State, including their State of Origin. This is in conflict with our laws as Section 15 of Cap 54 states that the conditions of entry and residence to foreigners shall be subject to the law.
Also, Article 29 of the Convention provides the right to a child of a migrant to a Nationality. However, according ot the Tanzania Citizenship Act [Cap 357 RE 2002] the citizenship rights of a child flows from the parents. If one parent is Tanzanian then he/she will be a Tanzanian.

[22] Currently the Constitution of the United Republic of Tanzania, 1977 prohibits torture and remedies for victims of torture are available through the Basic Rights and Duties Enforcement Act, Cap 3 and the Commission for Human Rights and Good Governance.

[23] Victims can seek remedies of *habeus corpus* through the Criminal Procedure Act [Cap 20 RE 2002].

[24] The Action Plan was launched by Dr. Mohammed Gharib Bilal, then the Vice President of the United Republic of Tanzania as part of Human Rights Day celebrations.

[25] It incorporates civil, political, economic, social and cultural rights; groups with special needs; collective rights and issues of human rights and business; corporal social responsibility as well as strengthening institutional capacity.

[26] Training was held for 427 executive Directors and Heads of Departments from Municipal and District Councils in 21 Regions. 272 Link Officers from implementing Ministries and actors were trained on monitoring and evaluation of the Action Plan. Training sessions were held in 30 Regions.

[27] This is being coordinated by the President's Office-Good Governance Unit.

[28] Public servants involved in corrupt practices in Tanzania Mainland who had disciplinary measures against them from 2005-2015 are 61; the number of corruption cases filed before the Court of law are 887; convicted culprits 271; reported grand corruption cases 93 and money rescued is Tsh. 6,778,619,377.

[29] The objective of the awareness campaigns is to on the rights, responsibilities and obligations of individuals before the law especially in places which offer public services. Over the period 2011-2014, the PCCB carried out several community awareness activities that promote human rights. These involved employees in both private and public sectors, students and the general public. The activities include radio and television programs, seminars, public meetings, media programs, forming anti-corruption clubs and during exhibitions.

[30] The legislation was enacted in adherence to the Good Governance Policy adopted in 2011.

[31] The authority is an independent an autonomous agency mandated to oversee education on Anti-corruption and prevention of corruption and economic crimes.

[32] The purpose of this hotline is to give room to children who face violence to report. The service is free of charge. The number of calls made from July 2013–December 2013 total 7000; from January 2014–December 2014 total 13,802 and from January 2015 to July 2015 total 8,593. Therefore a Total Sum of 29,395 calls were made.

[33] In 2 municipal of the Mainland namely being Ilala District in Dar es Salaam (at Amana Hospital), and at the Hai District Hospital in Kilimanjaro Region.

[34] It outlines the list of activities to be carried out during the lifespan of the roadmap some of these activities include development of TV soaps and radio dramas as reported in our Convention on the Rights of the Child report.

[35] 5 Regions having 1 center and with 1 Region having 2 centers.

[36] Guidelines and Standard Operating Procedures (SOP's) in order to operationalise the Police Gender and Children's Desks have been developed. A three-year Action Plan (2013–2016) for six pilot regions has been established.

[37] A total of 335 health care staff in Tanzania Mainland Districts and 10 health staff in Tanzania

Zanzibar were trained.

[38] 60 magistrates, 110 police officers and 111 prison officers.

[39] The Plan is for the period of 2016-2020.

[40] It was establishcd in August, 2014 and 60 awareness programs on the eradication of violence against women have been conducted to date.

[41] As per the requirements of the National Policy Guidelines for the Health Sector Prevention and Response to Gender Based Violence 2011 it is paramount to save lives first. In acute conditions like bleeding and rape survivors who need to obtain post exposure prophylaxis within 72 hours, they are provided with emergency services and contraceptive to prevent unexpected pregnancy within 120 hours from the assault.

[42] The aim of establishing these groups is to make parents take their role and responsibility of parenting by imparting them with parenting skills.

[43] Section 131 of the Act provides for a sentence of not less than thirty years and corporal punishment. Section 131(3) provides that a person convicted for the offence of rape of a girl under the age of ten years shall be sentenced to life imprisonment.

[44] Section 126(1) of the Act provides a sentence of life imprisonment or a sentence of not more than thirty years.

[45] The State Party has, undertaken sensitization of rights holders and duty bearer through the media and community meetings, including training journalists and teacher and at school events; meeting with traditional leaders; capacity building for key duty beareres including Police Gender and Children's Desk training with specific modules on FGM; making elimination of FGM a priority and providing safe places for girls to stay during FGM performance periods. This service has been provided by Sisters of Charity Masanga Centre in Tarime, Mara Region in December 2013. Enhancement of the law enforcement strategy includes enhancement of skills in evidence collection and introduction of child friendly interview skills to law enforcers.

[46] Amongst the objective of the policy is to address the issues of violence against children including FGM strategies to curbing the practice.

[47] Over the review period, 120 school teachers were trained in Tarime District and 1,190 journalists from across the country have also been trained on reporting GBV including FGM as reported in the State Parties consolidated 3rd, 4th and 5th CRC Report.

[48] Article 66(1)(b) of the Constitution of the United Republic of Tanzania requires that women representation in the National Assembly should be not less than 30%. Article 67(1) of the Constitution of Zanzibar also requires that women representation in the House of Representatives should be 40%.

[49] Speech by His Excellency, Jakaya Mrisho Kikwete, the then President of the UTR, when he was dissolving the 10th Parliament of the United Republic of Tanzania, in July 2015.

[50] This Policy has a specific statement indicating the State's commitment to increase access to education, facilities and infrastructure for children with disabilities and those with "special needs", including children with albinism.

[51] The overall goal of the Inclusive Education strategy 2012-2017 is to ensure that all children, youths and adults in Tanzania have equal access to quality education in inclusive settings. Moreover, the IE Strategy strives to achieve education policies and programmes that are informed by inclusive values and practices; teaching and learning respond to the diverse needs of learners; ensure educational support is available to all learners; professional capabilities for inclusive education are widened and strengthened; and community ownership of and participation in inclusive education is enhanced.

[52] Its objectives include early intervention; Capacity building of teachers of pupils with special needs and Material support to enable these students to learn smoothly.

[53] These include the Child Survival and Development Policy of 2001 and the Zanzibar Education Policy of 2006. The latter provides that inclusive education shall be promoted to ensure that children with special needs (which include children with disabilities) get equal opportunities; barriers to learn are addressed and diverse range of learning needs are accommodated. Slow learners and highly gifted children shall be identified and given opportunities to learn at their own pace. Children with disabilities and others with special needs shall, to the greatest extent possible, be able to attend a local where they will receive quality education alongside their peer without disabilities/special needs.

[54] These have been established at various Government institutions and at Government Ministerial level in Tanzania Mainland and Tanzania Zanzibar. For instance, the Most Vulnerable children Committee

within the Ministry of Health and Social welfare.

[55] It is celebrated on the 13 of June, each year.

[56] These are situated at Shinyanga- Buhangija, Kigoma- Kabanga and Misungwi.

[57] Mara, Shinyanga, Mwanza and Tabora.

[58] The establishment of a national advisory committee on anti-trafficking in the context of the Anti-Trafficking in Persons Act (2008) brings together relevant actors from Zanzibar and the Mainland. This enabled the implementation of objective No. 6 which related to child trafficking. In the wards there are committees responsible for monitoring issues of children including VAC and child trafficking. These committees are trained by IOM and the police to understand issues of trafficking and the steps need to be taken by different stakeholder including the families on how to eliminate the problem on one hand while being to capacitate families economically on the other.

[59] 40 Police Officers were trained between 2013 and 2014.

[60] The journalists trained were from Arusha, Dar es Salaam, Dodoma, Kigoma, Mwanza and Zanzibar.

[61] For example, the Police Force and Auxiliary Service Act CAP 322, The Police Force Service Regulations 1995 and Police General Orders provide. Part IV of the Regulations provides for disciplinary offences which include among others the ill treatment of suspects, discharging fire arms without orders and provides for the procedure of the disciplinary proceedings.

[62] Also, 13 Officers, 2 inspectors and 54 Officers of different ranks had severe warnings issues against them.

[63] From January 2014 up to July 2015, total cumulative transfers to household beneficiaries were 984,121 families which amounted to Tsh. 87,580,246,745.

[64] Section 3(1)(a) provides that a person convicted of an offence punishable by imprisonment for a term not exceeing three years, with or without the option of a fine or (1)(b) imprisonment for a term exceeding three years but for which the Court determines a term of imprisonment for three years or less, with or without the option of a fine, to be appropriate, the Court may, subject to this Act, make a community service order requiring the offender to perform community service. Community service shall comprise unpaid public work within a community, for the benefit of that community, for a period to be fixed by the Court but not exceeding the term of imprisonment for which the court would have sentenced the offender.

[65] The amendments pertain to Section 4 and 6(3)(d) of the National Parole Board Act, [Cap. 400 RE. 2002].

[66] Presidential Amnesty is provided under Article 45 of the Constitution of the United Republic of Tanzania, 1977.

[67] The National Prosecution Services Act No. 27 of 2008 has established the Forum and Section 16 (4) of the Act calls for regular inspection visits of Prison, Police Cells and Remand Prisons with all actors involved in the administration of criminal justice.

[68] The implementation strategy of 2014 list objectives which require the Government to: ratify International Conventions on matters related to corrections; improve system for observance of Human Rights Standards in prisons; enhance pro[illegible]ssional correctional worker skills on fundamental Human Rights issues; ensure offenders live in safe, decent and under healthful custody; ensure adequate rehabilitation programmes and services to prisoners; strengthen use of non-custodial measures to reduce over congestion; improve provision of essential health care to staff and inmates; strengthen gender equity in the provision of opportunities in service; improve living and working conditions of prisons staff; improve working relationship between prison service and other stakeholders; improve legal framework for prison service for prison service; enhance good governance and dynamism in prison service; and reduce transmission of HIV in working place.

[69] At Kilwa, Mbarari, Kasungamil, Bukoba, Igunga, Musoma, Maswa, Segerea, Lindi, Sumbawanga and Korogwe Wazo-DSM, Iringa, Bukoba, Musoma, Babati, Ubena, Songea, Shinyanga, Singida, Kitai and MtegowaSimba-Morogoro.

[70] Isanga, Ukonga, Arusha, Maweni-Tanga, Uyui, Keko, Segerea, Ruanda-Mbeya, Butimba-Mwanza, Lilungu-Mtwara, Lindi and Karanga-Kilimanjaro.

[71] These include draft Regulations on Child Protection, draft Regulations on Children's Residential Homes, draft Regulations on Adoption, draft Regulations on Day Care Centers and draft Regulations for effective function of Children's Court that was established in 2013 in Tanzania Zanzibar. In Tanzania Mainland the Retention Homes Regulations (2012), Foster Care Placement Regulations (2012), Apprenticeship Regulations (2012), Child Employment Regulations (2012), Adoption of

Children Regulations (2012), Approved School Regulations (2012), the Day Care Centers and Crèches Regulations (2014), Juvenile Court Rules (2014) and the Child Protection Regulations (2015) were enacted.

72 For example Temeke and Mbeya in 2013/2014 where a total number of 202,738 children were registered and in Mwanza in 2015 a total number of 82,734 children were registered up to September 2015. RITA has established the program of 6-18 birth registration initiatives whereas a total number of 17,996 children were registered from 2012 to September 2015. This registration was free. Also, awareness rising campaigns have been carried out in Mbeya and Mwanza Regions and more campaigns are planned to be expanded to cover other regions of Mara and Simiyu. RITA continues to educate Local leaders from the Village, Ward and District levesl. The State has improved birth registration coverage, including allocation of implementation funds for the Under 5 birth registration and the 6-18 birth registration. Access to birth and registration is implemented through the under 5 National Birth Registration Strategy which is pioneered to increase, expand, and achieve national coverage in regions. In particular, a Memorandum of Understanding (MoU) between Local Government Authorities, Ministry of Health and Ministry of Constitutional and Legal Affairs has been signed to work together to enhance the registration process is in place.

73 Notably, the training for professionals is an on-going process. A team of 24 TOT's from the Judiciary and 64 officers from the Police and NGOs working with the Police have been trained to replicate the training to Police and Court professionals. Training was also held for 7 Judges, 82 Magistrates, 41 Advocates, 80 Social Welfare Officers and 3 Instructors from the Institute of Judicial Administration. In addition, the Police and NGO trainers have trained 1,267 Police Officers working at the Gender and Children Desks.

74 There is 1 of Juvenile Court with three Magistrates. 654 children in conflict with the law have been provided with legal assistance where as successive bail were 366 were granted bail. 288 children were acquitted and 144 children who are in conflict with the law were diverted from the formal justice system. There is also an approved school in Mbeya region. In Tanzania Zanzibar there is a Child Justice Reform Strategy 2013- 2018 which is aimed at among others things implementing the Children Act No. 6 of 2011. The Government has also development the children legal aid scheme whereas every child who cannot afford legal representation if afforded an advocate. Tanzania Zanzibar is also in the final stage of establishing the community rehabilitation program and specific officers who include social workers, police, and Magistrates are provided with specialized training.

75 The State has adopted the National Action Plan for the Elimination of Child Labour (2009-2015). This plan strives to scale up the prevention of, and it provides responses to, the worst forms of child labour in the country. In this context, the worst forms of child labour constitute exploitation and gross violation of human rights for boys and girls, with detrimental physical, emotional and mental consequences to the child. The overall objective of the plan is to reduce the prevalence and incidents of child labour and worst forms of child labour at the household and community levels and in all sectors of the national economy both in rural and urban areas in the short run; and putting in place the requisite economic, social, policy and institutional foundations for elimination of all forms of child labour in longer term.

76 The National Human Rights Action Plan also calls to extend micro-credit schemes and training to the rural and urban poor population to promote income-generating activities and discourage child labour.

77 A total of 875 officers (25 in each districts in the Mainland) officers from 35 Districts out of 128 districts in the Mainland were covered in the training.

78 At the National level it is under the Ministry responsible for Labour matters; at the District level there are Child Labour Elimination Committees under the leadership of the District Executice Office and Child Labour Sub-Committees at the village level are under the Village leadership. Other Government child labor monitoring systems include the National Bureau of Statistics, the Department of Social Welfare through the most vulnerable children data management system and TASAF.

79 It has created a large impact at field level in 20 villages at Sikonge and Urambo Districts by reducing the adverse effects of child labor by providing school supplies, desks, tables and stationeries to 1800 children, 26 shallow wells in schools, and support interschool sports and games whereby a total of 3300 school children have been enrolled and participate in this competition. Through conditional loans catalyzed by PROSPER, mothers have been able to do business and meet education requirements of their children and other house hold requirements. In 2014, 1,530 women from vulnerable households were trained in business entrepreneurship out of which 984 received loans and

784 youth have been trained in good agricultural practice.

[80] The State's collaboration with Plan International and WEKEZA succeeded to prevent 3,016 children between the age of 5-13 from child labour and about 2,232 children were rescued from the child labour, provided with school facilities and were taken back in schools and technical school.

[81] Among them 2079 were girls and 2988 were boys.

[82] This included distribution of wall posters, flyers, banners, newsletters and sharing them with different stakeholders, service providers and public schools.

[83] These include Social Welfare Officers, Police Officers, Immigration Officers, Community Development Officers, Planning Officers, Teachers, Magistrates, Community Services Workers, and Child Care Workers.

[84] The goal of this plan is to establish an MVC response which is Government led and community-driven, that constitutes a multi-sectoral response and commitment which facilitates MVC access adequate care, support and protection and access to basic social services through increasingly mainstreamed and sustainable Government lead systems. The plan has four strategic objectives which are to: strengthen the capacity of household and communities to protect care and support MVC, increase access to effective gender responsive child protection services within a well-resourced child protection system that has the best interest of the child at its core, improve access and utilization of primary health care and education including early childhood care and development services and strengthen the coordination and leadership, policy and service delivery environment.

[85] The project targets the following categories of children: a child who is alone and at risk, lives, sleeps, works and eats on the streets without adult supervision and care; a child who is part- or fulltime on the street but goes "home" in the evenings; a child who is begging with their parents/other care on the streets; a child who has just arrived on the streets; a child who lives in poverty or is a victim of family breakdown and thus is at risk of migrating to the street; children living in the slums; and a child engaged in domestic work, brothels and other types of child labour.

[86] Other initiatives include: adoption of the regulations on foster care, children homes, adoption, retention homes, apprentices and child employment in 2014 and development of the guideline for Psychosocial Care and Support Services for Most Vulnerable Children and Youth in Tanzania in 2014. Further, in February 2014 SOS Children's Villages Tanzania launched the national "*Care for Me"* Campaign embedded with *"quality care to every child"*. This campaign is a collaboration with the Division of Social Welfare at the Ministry of Health.

[87] The Legislation was amended through the Written Laws (Miscellaneous Amendments) Act, No. 3/2013.

[88] Sourced from the Minister of Education Budget Speech 2015/2016.

[89] Cluster II of MKUKUTA-II and MKUKUZA II) establish the target for improving education standards.

[90] A total of 12,476 teachers out of which 8,400 are science and mathematics teachers, this contributed to 9.4 percent increase in performance in science subjects. 4,074 teachers who teach the compulsory general subjects (mathematics, biology, English and Kiswahili) had capacity building training and as a result the performance of ordinary level students had from 23.4 percent from 2012 to 2013.

[91] In the year 20142/2015 construction of about 125 classes was completed and rehabilitation of 59 classes was also completed.

[92] The number of female trained and untrained teachers outnumbers male teachers. Also the capacity of 350 teachers from Unguja and Pemba in 2014/2015 was increased.

[93] Sourced from the Zanaibar Minister of Education and Vocational Training Budget Speech 2015/2016. In respect of Zanzibar, the State Party has established three Gender and Children Desks in three regions: at the Madema Police Station in the Urban West Region (Unguja); at the Mwera Police Station in the South Region (Unguja); and at Chakechake Police Station in Pemba. Currently, the State Party is working to establish another Gender and Children Desk at the Mahonda Police Station in the North Region (Unguja).

[94] Immunisation is against polio, tuberculosis, diphtheria, pertussis, tetanus, measles, hepatitis ''B'' and any other immunizable diseases.

[95] www.mwananchi.go.tz

[96] The UN System in Tanzania.

[97] The Ministry of Health and Social Welfare in implementing its support to Maternal Mortality Reduction Project by seeking assistance from the African Development Bank (ADB) for projects in

Mtwara, Mara and Tabora.

[98] Increasing cooperation between MOEVT and development partners in education sector, where promotion of primary education has been supported by grants and loans from the following international donors, these include: SIDA, UNICEF, UNESCO, GPE, OPEQ Fund, CDC, WHO, CARF International, JICA, MDM, Imperial College of Science and Technology from UK, Milele Zanzibar Foundation, BADEA, ADB and USAID.

[99] The One-UN System through the Office of the Regional Coordinator funded the second consultative workshop on the preparation of the National UPR Report as well as the final workshop made of a small team to finales the Report and ensure it is in compliance with the guidelines. ICESCR.

[100] This is through the President's Office-Planning Commission.

[101] This provides for sustainable management and adequate operation and transparency regulation of water supply and sanitation services, and provides for the establishment of water supply, sanitation authorities and community owned water supply organizations, as well as for the appointment of service providers.

[102] Water supply is being improved in Dar-es-salaam and water projects have been completed in 8 Regions, 6 Districts and 2 townships. There are ongoing projects in 13 Regions and 27 Districts and small towns. Implementation of these projects has increased the availability of water in both rural and urban areas; from 73% in 2005 to 86% in 2014 in urban areas and an increase from 53% in 2005 to 67.6% in 2014 in rural areas. The State continues to improve water services through rehabilitation of infrastructure and covering electricity charges for the operation of national water projects in 7 Regions. Further, on 15th May, 2015 a water laboratory in Mwanza was awarded certificate of accreditation by the Southern African Development Community Accreditation Services (SADCSS).

[103] It also aims at constructing toilets and provides safe and clean water to schools.

[104] This initiate aims to drill 10 boreholes, and renovate 30 boreholes as well as to construct toilets and provide clean water for washing hands and provide a clean environment in schools. There is also a project to build 50 boreholes by Ras-al Khaymah and to date 44 boreholes have been constructed.

[105] The Employment and Labour Relations Act No. 6 of 2004 and the Labour Institutions Act No. 7 of 2004 in Tanzania Mainland and the Labour Relations Act No. 1 of 2005 and the Employment Act No. 11 of 2005 in Tanzania Zanzibar.

[106] Human Rights and Business as an emerging human rights issue is considered in Chapter 4-2.4.2 of the National Human Rights Action Plan.

United Nations A/HRC/WG.6/25/TZA/2

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United Republic of Tanzania

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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Please recycle

I. Background and framework

A. Scope of international obligations[1]

1. International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
Ratification, accession or succession	ICERD (1972)		ICCPR-OP 2
	ICESCR (1976)		CAT
	ICCPR (1976)		OP-CAT
	CEDAW (1985)		ICRMW
	CRC (1991)		ICPPED (signature, 2008)
	OP-CRC-AC (2004)		
	OP-CRC-SC (2003)		
	CRPD (2009)		
	ICPPED (signature, 2008)		
Reservations and/or declarations		OP-CRC-AC (declaration, art. 3 (2): 18 years, 2013)	
Complaints procedures, inquiries and urgent action[3]	ICERD, art. 14 (1972)		ICCPR, art. 41
	OP-CEDAW, art. 8 (2006)		OP-ICESCR
	OP-CRPD, art. 6 (2009)		ICCPR-OP 1
	ICPPED (signature, 2008)		CAT
			OP-CRC-IC
			ICRMW
			ICPPED (signature, 2008)

1. In 2015, the Committee of the Rights of the Child encouraged the United Republic of Tanzania to ratify OP-CRC-IC, the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, the Arms Trade Treaty and the International Labour Organization Domestic Workers Convention No. 189 (2011).[4]

2. In 2013, the Committee on Economic, Social and Cultural Rights encouraged the United Republic of Tanzania to consider signing and ratifying OP-ICESCR.[5]

2. Other main relevant international instruments

	Status during previous cycle	*Action after review*	*Not ratified*
Ratification, accession or succession	Convention on the Prevention and Punishment of the Crime of Genocide		

Status during previous cycle	*Action after review*	*Not ratified*
Rome Statute of the International Criminal Court		
Palermo Protocol[6]		
Conventions on refugees and stateless persons[7]		
Geneva Conventions of 12 August 1949 and Additional Protocols I and II[8]		Additional Protocol III to the 1949 Geneva Conventions[9]
ILO fundamental conventions[10]		
		ILO Conventions Nos. 169 and 189[11]
Convention against Discrimination in Education		

B. Constitutional and legislative framework

3. The United Nations country team (UNCT) stated that the draft constitution, which had been approved on 2 October 2014 but was still awaiting a referendum, did not adequately address the issue of women's leadership and access to basic services. It also expressed concern about, inter alia, the exclusion of sexual orientation and gender identity as prohibited grounds for discrimination. It stated that the proposed constitution potentially opened the door to forced labour for national development projects.[12]

4. The Committee on Economic, Social and Cultural Rights was concerned by the criminalization of homosexuality and recommended that urgent steps be taken to amend the Penal Code to decriminalize homosexuality.[13]

5. The same Committee expressed concern that domestic violence and spousal rape were not specifically criminalized. It urged the United Republic of Tanzania to prohibit and criminalize domestic violence and spousal rape and ensure that all alleged perpetrators are prosecuted.[14]

6. The Committee on the Rights of the Child noted with concern that the regulations for the implementation of the Anti-Trafficking in Persons Act (2008) had not been published in the Official Gazette and recommended expediting their publication.[15]

7. UNCT expressed concern about the Law of Marriage Act of 1971, which set the minimum marital age at 15 years for girls and 18 years for boys, and about the Local Customary Law (Declaration) Order of 1963, which discriminated against women by allowing male partners to control the political and economic well-being of the family at the household level.[16]

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions[17]

National human rights institution	*Status during previous cycle*	*Status during present cycle*[18]
Commission for Human Rights and Good Governance	A (2006)	A (2011)

8. UNCT stated that the Commission for Human Rights and Good Governance (CHRAGG) was weak and unable to enforce its recommendations, and that the Commission's ability to function effectively was affected by serious budgetary constraints.[19]

9. The Committee on the Rights of the Child noted with appreciation the continuing work of the Special Desk for Children's Affairs within CHRAGG and reiterated its previous recommendation to the United Republic of Tanzania on ensuring human and financial resources for the effective functioning of the Special Desk.[20]

10. The Office of the United Nations High Commissioner for Refugees (UNHCR) referred to the recommendation, received by the United Republic of Tanzania during its universal periodic review on 3 October 2011, on the finalization of a national human rights action plan,[21] and commended the State for launching the plan. It noted that the plan took into account the rights of refugees, asylum seekers and stateless persons.[22]

11. UNCT stated that CHRAGG had the responsibility for coordinating and monitoring the implementation of the National Human Rights Action Plan. Current efforts highlighted capacity challenges and a need for systematic monitoring. It recommended that, following the upcoming universal periodic review, the Government, together with CHRAGG and key civil society organizations, establish a formal coordinating mechanism and integrate a common understanding on key human rights indicators and benchmarks into a revised national human rights action plan.[23]

12. The Committee on the Rights of the Child expressed concern that the right of the child to have his or her best interests taken as a primary consideration was not adequately applied. It recommended that the United Republic of Tanzania strengthen its efforts to ensure that this right is appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings and decisions, as well as in all policies, programmes and projects.[24]

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
Committee on the Elimination of Racial	-	-	-	Combined seventeenth and eighteenth reports overdue since 2007

Treaty body	Concluding observations included in previous review	Latest report submitted since previous review	Latest concluding observations	Reporting status
Discrimination				
Committee on Economic, Social and Cultural Rights	-	-	November 2012	Fourth report due in 2017
Human Rights Committee	July 2009	-	-	Fifth report overdue since 2013
Committee on the Elimination of Discrimination against Women	July 2008	2014	-	Combined seventh and eighth reports pending consideration in 2016
Committee on the Rights of the Child	June 2006	January 2012 (on CRC)/ July 2007 (on OP-CRC-AC and OP-CRC-SC)	January 2015 (on CRC)/ October 2008 (on OP-CRC-AC and OP-CRC-SC)	Sixth report due in January 2020 (on CRC)
Committee on the Rights of Persons with Disabilities	-	-	-	Initial report overdue since 2011

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

Treaty body	Due in	Subject matter	Submitted in
Human Rights Committee	2010	Female genital mutilation, abolition of corporal punishment as a lawful sanction and imprisonment for failure to pay a debt[25]	2012.[26] Further information requested.[27]
Committee on the Elimination of Discrimination against Women	2010	Domestication of the Convention, female genital mutilation and law reform in the area of marriage and family relations[28]	2012.[29] Further information requested.[30]

Views

Treaty body	Number of views	Status
Committee on the Elimination of Discrimination against Women	1[31]	Follow-up dialogue ongoing[32]

B. Cooperation with special procedures[33]

	Status during previous cycle	*Current status*
Standing invitation	No	No
Visits undertaken	Toxic wastes	-
Visits agreed to in principle	-	-
Visits requested	Foreign debt	Extreme poverty
	Summary executions	Water and sanitation
	Extreme poverty	Slavery
		Discrimination against women
		Foreign debt
		Albinism
Responses to letters of allegation and urgent appeals	During the period under review, nine communications were sent. The Government replied to two communications.	

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

13. The Committee on the Rights of the Child recommended that the United Republic of Tanzania seek technical cooperation from the Office of the United Nations High Commissioner for Human Rights (OHCHR).[34] It urged the country to make use of the technical assistance tools developed by the Interagency Panel on Juvenile Justice and its members, including OHCHR.[35]

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

14. UNCT stated that in 2013, the Gender Inequality Index ranked the United Republic of Tanzania at 123 out of 149 countries, with a score of 0.553. That implied that there were significant gender gaps in human development and continuing gender-based inequalities in reproductive health, empowerment and economic activity.[36]

15. At its sixtieth session, the Committee on the Elimination of Discrimination against Women decided that the legal framework of the United Republic of Tanzania, which treated widows and widowers differently in terms of ownership, acquisition, management, administration, enjoyment and disposition of property, was discriminatory and thereby amounted to a violation of the authors' rights under articles 2 (c), 2 (f), 5 (a), 13 (b), 15 (1), 15 (2), 16 (1)(c) and 16 (1)(h) of CEDAW, read in the light of the Committee's general recommendations Nos. 21, 28 and 29. It held, inter alia, that the State should ensure that all

discriminatory customary laws limiting women's equal inheritance rights are repealed or amended and brought into full compliance with CEDAW.[37]

16. The Committee on the Rights of the Child reiterated its concern that discrimination against certain groups of children still existed, in law and in practice, particularly against pregnant teenage girls and teenage mothers, children with albinism, children with disabilities, children infected with or affected by HIV/AIDS and children living on the streets.[38]

17. UNCT stated that discrimination related to HIV/AIDS remained institutionalized in the workplace. The practice was prevalent, inter alia, in certain large mining companies in the private sector and in the police force.[39]

18. UNCT called for the allocation of sufficient resources to ensure free birth registration and certification.[40] The Committee on the Rights of the Child recommended that the United Republic of Tanzania equip decentralized government authorities and health facilities to register births and issue birth certificates, provide birth registration and issue birth certificates free of charge for children under 5 years of age, strengthen and expand mobile birth registration to reach universal coverage, and increase public awareness of the importance of birth registration.[41]

B. Right to life, liberty and security of person

19. UNCT called on the United Republic of Tanzania to establish an official moratorium on the death penalty and to consider its abolition.[42]

20. UNCT noted that witchcraft was the main impetus for the killing and mutilation of persons living with albinism, and recommended that the United Republic of Tanzania take immediate steps to challenge beliefs and attitudes in those communities in which children with albinism were at a high risk of attack.[43]

21. The Committee on the Rights of the Child expressed alarm at the killings of children with albinism, including for ritual purposes, and was concerned that the root causes of the violence were insufficiently addressed, and that prosecution of alleged offenders was hampered by fear and the reported complicity of some State authorities. The Committee urged the United Republic of Tanzania to adopt a comprehensive strategy targeting "witch doctors", to expedite the investigation and prosecution of all cases involving children with albinism, and to provide victims with rehabilitation and redress.[44]

22. UNCT stated that, in its efforts to address harmful cultural and traditional customs and practices, such as female genital mutilation, polygamy and the bride price, the United Republic of Tanzania had continued to strengthen the implementation of the Zanzibar Penal Act (2004) and the Penal Code (applicable on the mainland), both of which criminalized female genital mutilation. The State had also carried out public awareness-raising campaigns and media programmes in an effort to eliminate female genital mutilation.[45]

23. The Committee on the Rights of the Child urged the United Republic of Tanzania to disseminate the law criminalizing female genital mutilation and to ensure that all such cases are promptly investigated and prosecuted and that victims have access to social and medical services.[46]

24. UNCT stated that sexual, physical and emotional violence against children was a pervasive problem, in both the private and public spheres, including government facilities such as schools and prisons. The national plan of action to prevent and respond to violence against children for 2013-2016 was adopted on the mainland, and the national plan to respond to violence against children for 2011-2015 was adopted in Zanzibar. While some progress had been made in implementing the commitments under those plans, insufficient

resources had been allocated. Survivors of sexual abuse and violence struggled to achieve justice and obtain social support. The vast majority of the police, prosecutors and magistrates required training. The lack of capacity often contributed to impunity for perpetrators.[47]

25. UNCT stated that corporal punishment mainly took the form of caning, which was permitted in the home, in school and as a judicial sanction. It was a widely supported measure of discipline, which led the United Republic of Tanzania to reject recommendations from the 2011 review to prohibit all corporal punishment.[48] The Committee on the Rights of the Child noted with concern that provisions in the legislation condoned corporal punishment for "justifiable correction" in schools and for parents to discipline their children "provided it does not lead to injury". The Committee urged the State to repeal or amend all legislation to explicitly prohibit corporal punishment in all settings.[49] The Committee on Economic, Social and Cultural Rights made similar recommendations.[50]

26. The Committee on the Rights of the Child was concerned about the persistence of forced and early marriages of girls and, to a lesser extent boys, sometimes even before they reached puberty. Despite the Sexual Offences Special Provisions Act (1998) criminalizing all sexual activity with girls below the age of 18, marital rape was not prohibited once the married child reached 15 years of age.[51] The Committee expressed concern about reports of frequent sexual and gender-based violence in Nyarugusu refugee camp, including forced marriage and teenage pregnancy, and the giving away of a child in settlement of a debt.[52]

27. The Committee on the Rights of the Child expressed concern about the physical and sexual violence against children, including the sexual exploitation of girls. It recommended that the United Republic of Tanzania: take measures to ensure that all children at risk of sexual exploitation are provided with assistance and protection; strengthen the promotion of zero tolerance of violence against children in schools; ensure that victims have access to child-protection centres; develop adequate systems of investigation and promptly prosecute alleged perpetrators in all cases of sexual violence and abuse of children; and provide all victims with reintegration and recovery services.[53]

28. The Committee on the Rights of the Child called on the United Republic of Tanzania to research the root causes and extent of commercial sexual exploitation of children, child sex tourism, the sale of children, child prostitution and child pornography, to identify children at risk, assess the extent of the problem and develop targeted policies and programmes.[54]

29. The Committee on Economic, Social and Cultural Rights expressed concern about the high number of children living and working in the street, their exposure to various forms of violence, and their limited access to health services and education. It recommended improving access to health services and education for street children.[55] The Committee on the Rights of the Child made similar recommendations.[56]

30. The Committee on the Rights of the Child expressed concern about the lack of awareness of domestic and cross-border child trafficking for sexual exploitation. It recommended expanding efforts to provide specialized training in combating trafficking in children and strengthening awareness-raising programmes.[57] It also recommended ensuring the protection of, and support services for, children who have been victims of trafficking.[58]

31. UNCT stated that conditions in prisons and detention centres were of serious concern, with reports of alleged torture, rape and extortion. It recommended that the United Republic of Tanzania undertake efforts to reform the penal system and that CHRAGG undertake regular monitoring of all places of detention.[59]

32. UNCT stated that children were routinely held in adult detention centres, even in regions where juvenile detention centres existed. Although those under the age of 18 years were separated at night, they mixed with adult prisoners during the day.[60]

C. Administration of justice, including impunity, and the rule of law

33. UNCT stated that challenges continued to exist with respect to access to justice in terms of availability of independent and impartial tribunals and courts; the presence and accessibility of tribunals and courts with sufficient resources; legal awareness and knowledge; the availability of sufficient and qualified lawyers; and the possibility of a timely and fair trial regardless of one's socioeconomic status.[61]

34. The Committee on the Rights of the Child encouraged the United Republic of Tanzania to increase the number of adequately trained professionals working in the juvenile justice system, designate specialized judges for children and ensure their appropriate education and training, and ensure sufficient specialized juvenile court facilities and procedures, with adequate resources.[62]

35. The same Committee expressed concern about the lack of adequate legal-aid services for children in conflict with the law, and encouraged the provision of qualified and independent legal aid and the expeditious adoption of the Legal Aid Bill.[63]

36. The United Nations High Commissioner for Human Rights stated that the United Republic of Tanzania had the primary responsibility to protect people with albinism, and to fight against impunity, which was a key component for prevention and deterrence of the crimes targeting this exceptionally vulnerable community.[64] Victims often faced significant difficulties in bringing their cases to justice, fearing retaliatory attacks or further stigmatization.[65]

D. Right to family life

37. The Committee on the Rights of the Child noted with concern the reported increase in the number of children living without parental care. It recommended that the United Republic of Tanzania take measures necessary to protect the rights of children deprived of a family environment and address their needs, and in particular strengthen the support provided to biological families to prevent out-of-home placements.[66]

38. The same Committee noted with concern that a large number of children's homes operated without registration or adequate inspection and that children continued to live in institutions without any review of the placement, contrary to the 2012 Children's Homes Regulations.[67]

39. The Committee was also concerned about reports that children with albinism had been placed in boarding schools and shelters for children with special needs and that those shelters, while offering immediate protection, were not temporary as originally intended. The children were separated from their families and segregated from their community. The Committee encouraged the United Republic of Tanzania to review its policy of placing children with albinism in boarding schools and to take all measures necessary to reunite the children with their families, when that is in the best interests of the child.[68]

E. Freedom of expression

40. UNCT stated that the media services bill of 2015 stipulated that no person would be allowed to practice journalism unless accredited by the proposed journalists accreditation

board. If the bill were to be passed, accreditation would lead to the suppression of citizen journalists and other volunteer journalists working with community radio stations.[69]

F. Right to work and to just and favourable conditions of work

41. The Committee on Economic, Social and Cultural Rights expressed concern that the informal economy was estimated to represent more than 90 per cent of the overall economy. It recommended regularizing the situation of informal sector workers by progressively improving their working conditions and including them in social security schemes.[70]

42. UNCT stated that while 89 per cent of women participated in the work force, more than 53 per cent were not remunerated for their work. A high number of women worked in the informal sector, which was characterized by low wages and lack of job security benefits.[71]

43. UNCT stated that most small-scale miners in the gold-mining sector used mercury to extract and separate gold from the crushed ore, which posed environmental and health hazards for the miners. It called for awareness-raising campaigns to ensure the protection of the rights of and informed action by the small-scale miners.[72]

44. The Committee on Economic, Social and Cultural Rights was concerned that internationally recognized labour standards were not effectively enforced. It recommended that the United Republic of Tanzania take measures to ensure safe and healthy conditions of work and their enforcement in practice, especially in construction, mining and the informal sector.[73]

45. The same Committee recommended that the United Republic of Tanzania take steps to limit the scope of the definition of "essential services" for which strikes are prohibited, so that only the most essential services are subject to this prohibition.[74]

46. The same Committee was concerned that child labour was widespread, with many children engaged in activities that were hazardous and dangerous.[75]

G. Right to social security and to an adequate standard of living

47. The Committee on Economic, Social and Cultural Rights expressed concern about social security coverage being very low and recommended the establishment of a universal social security system.[76] UNCT stated that the limited coverage of social protection left poor people with inadequate protection in case of disease, job loss or other catastrophes. The mandatory Social Security Scheme covered only employees in the formal sector, who constituted less than 10 per cent of the labour force. Furthermore, the benefits provided by most schemes were not sufficient to address contingencies.[77]

48. The Committee on Economic, Social and Cultural Rights was concerned that poverty remained widespread, with 34 per cent of the population living below the basic needs poverty line.[78]

49. UNCT stated that food security remained vulnerable to the effects of climate change, notably drought. The problem of malnutrition remained a major issue, with the allocation of adequate resources for nutrition programmes remaining a challenge.[79] The Committee on Economic, Social and Cultural Rights recommended that the United Republic of Tanzania address chronic food insecurity, chronic malnutrition and the critical nutritional needs of children, in particular in central, south-eastern and north-eastern regions.[80]

50. The same Committee expressed concern about the poor quality of accommodation, the lack of basic services and the high percentage of the urban population living in slums. It

recommended that the United Republic of Tanzania take urgent measures to ensure access to adequate and affordable housing with legal security of tenure for everyone and priority measures for homeless persons and persons living in substandard housing in shanty towns.[81]

51. Recalling the cholera outbreak in 2015, UNCT called for the upgrading of water and sanitation infrastructures and the implementation of social mobilization interventions.[82] The Committee on the Rights of the Child recommended that the United Republic of Tanzania improve access to safe drinking water and adequate sanitation facilities and ensure their sustainability, availability, sufficiency and affordability to all.[83]

H. Right to health

52. The Committee on Economic, Social and Cultural Rights expressed concern about the lack of universal health-care coverage and the shortage of qualified health-care professionals and medical supplies. It recommended that the United Republic of Tanzania ensure universal health-care coverage, adequate medical equipment and staff at health centres, and health-care services in rural villages.[84]

53. According to information before the Committee on the Elimination of Discrimination against Women, there has been limited progress in reducing the maternal mortality rate.[85] UNCT stated that the major causes of maternal mortality were preventable and attributable to the poor quality of health services, including the unavailability of skilled providers and essential equipment, as well as geographical inaccessibility. It noted the development of a road map for 2016-2020 to accelerate the reduction of preventable maternal, newborn and child mortality and to ensure universal access to sexual and reproductive health, and recommended the allocation of resources to ensure the implementation of the interventions and the monitoring of progress through the reproductive, maternal, newborn and child health scorecard.[86]

54. UNCT encouraged greater efforts to address the major causes of under-5 mortality: pneumonia, malaria, diarrhoea-related diseases and malnutrition.[87]

55. UNCT stated that there had been an increase in the deaths of newborn children. It called for improved access to newborn care, and improvements in service delivery to the most underserved regions, with a scaling up of the "Reaching every child" approach, which incorporated all child health interventions.[88]

56. UNCT stated that access to and the quality of HIV-related services had been neglected. Children and adolescents continued to be left behind in the national HIV response. Paediatric HIV treatment still lagged behind the provision of treatment for adults. The United Republic of Tanzania must urgently scale up paediatric HIV services, integrated within maternal neonatal child health services, and ensure that health/HIV services meet the special sexual and reproductive health and psychosocial needs of adolescents.[89]

57. UNCT also stated that compared to men, women were more than twice as likely to test positive for HIV. The United Republic of Tanzania should therefore ensure that national strategies address the rights and needs of girls and women in the context of HIV.[90]

58. UNCT stated that the United Republic of Tanzania should require as a best practice that evidence-based comprehensive sex education be taught within the broader primary and secondary school curricula.[91]

59. UNCT stated that the United Republic of Tanzania should recognize that laws that directly or indirectly criminalize sex work undermine the effectiveness of HIV and sexual health programmes by limiting the ability of sex workers and their clients to seek and benefit from HIV assistance programmes.[92]

60. The Committee on the Rights of the Child was concerned that adolescents who became pregnant as a result of sexual violence had limited options and often resorted to unsafe abortions, resulting in their death. It urged the United Republic of Tanzania to reduce maternal deaths relating to teenage abortions and ensure by law and in practice that the views of the child are always listened to and respected in abortion decisions.[93] UNCT stated that a lack of adequate interpretation of the law and policy relating to safe abortions resulted in poor access to quality abortion care.[94]

61. The Committee on the Rights of the Child expressed concern about the lack of information about modern contraceptives and adolescent-friendly health services, particularly in rural areas. It urged the United Republic of Tanzania to provide accessible, age-appropriate and adolescent-friendly health information and services for boys and girls, including confidential services, relating to sexual and reproductive health, with a focus on preventing pregnancy and making modern contraceptives available.[95]

I. Right to education

62. The Committee on the Rights of the Child expressed concern about the evaluation by the United Republic of Tanzania that formal education systems were unable to accommodate the growing demand, since there were insufficient schools, materials and qualified teachers. The Committee was concerned about the fees and unofficial financial contributions paid by parents and about the difficulties faced by some children in accessing education, including the long walking distances from home to school and the absence of school-meal programmes. It recommended that the State ensure the full enrolment of all children in education.[96]

63. The Committee on Economic, Social and Cultural Rights was concerned about inadequacies in the educational infrastructure, with schools often lacking water and sanitation; shortages of textbooks; and the limited number of qualified teachers. It recommended that the United Republic of Tanzania improve the physical environment of schools, including by ensuring appropriate water and sanitation facilities, particularly in rural areas.[97]

64. UNCT stated that the poor quality of education remained a grave concern.[98] The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that with the launching of the Education Policy of 2014, basic education would run from Standard 1 to Form 4 and would be free. All schools would use the same textbooks. The Government would collaborate with education stakeholders to modernize curricula at all levels, and provide equipment, materials and tools needed for teaching and facilitating the advancement of science and technology.[99]

65. The Committee on Economic, Social and Cultural Rights expressed concern about the lack of access to education for children with disabilities, children of pastoralist communities and refugee children living in the Mtabila camp. It recommended that the United Republic of Tanzania take steps to guarantee an inclusive education for all children with disabilities, in line with its 2012 Strategic Plan of Inclusive Education, and to ensure that all children of pastoralist communities and refugee children have access to primary education, including through the establishment of mobile and boarding schools.[100]

66. UNCT stated that while the United Republic of Tanzania had developed an inclusive education strategy,[101] immediate efforts should be taken to ensure its implementation and thus increase the inclusion of orphans and other vulnerable children, many of whom were likely to be among the primary-age children missing in schools.[102]

67. The Committee on the Rights of the Child expressed concern about the practice of mandatory pregnancy testing of girls as a pre-requirement for admission to school, as well

as the expulsion of pregnant girls from school.[103] UNCT stated that existing protection and special programmes for girls had been inadequate and resulted in many girls being unable to fulfil compulsory educational requirements. While the 2002 regulation still allowed for the expulsion of pregnant girls from school, a draft re-entry programme was under review and pending approval for girls who had dropped out of school owing to pregnancy. UNCT called for particular attention to be paid to the enrolment and retention of boys within nomadic and fishing communities.[104]

68. The Committee on Economic, Social and Cultural Rights was concerned about indirect costs in primary education, such as for textbooks, uniforms and school lunches.[105] The Committee on the Rights of the Child was concerned about the geographical disparities in ensuring high-quality education and about the rates of absenteeism and dropout. It recommended that the United Republic of Tanzania allocate sufficient resources to improve the geographic accessibility of schools and the quality of education and adapt the education system to accommodate children and families whose livelihoods are based on pastoralism, fishing, mining and farming.[106]

J. Persons with disabilities

69. The Committee on the Rights of the Child noted with concern that children with disabilities were subjected to greater abuse, violence, stigma and exclusion, particularly in rural areas. It urged the United Republic of Tanzania to adopt a human rights-based approach to disability, and specifically recommended that the State strengthen the implementation of laws and policies relating to children with disabilities.[107] The Committee also recommended expediting the establishment of the necessary infrastructure in public places to accommodate children with different disabilities and working together with communities to develop a public-awareness strategy to challenge negative social and cultural beliefs and norms regarding children with disabilities.[108]

K. Minorities and indigenous peoples

70. The Committee on Economic, Social and Cultural Rights expressed concern that several vulnerable communities, including pastoralist and hunter-gatherer communities, had been forcibly evicted from their traditional lands for the purposes of large-scale farming, the creation of game reserves, expansion of national parks, mining, construction of military barracks, tourism and commercial game-hunting. It recommended that the establishment of game reserves, the granting of licences for hunting and other projects on ancestral lands be preceded by free, prior and informed consent of the people affected, and that the United Republic of Tanzania ensure that these vulnerable communities are effectively protected from forced evictions from traditional lands. Also, forced evictions and violations during those evictions should be investigated, the perpetrators brought to justice, the findings made public and those evicted offered adequate compensation.[109]

71. According to information before the Committee on the Elimination of Discrimination against Women, indigenous women, in particular Masai women, were among the poorest and most marginalized groups in society.[110] The Committee on the Elimination of Racial Discrimination was concerned about information received that the situation of pastoralist Masai communities affected by evictions had worsened and that those communities had allegedly suffered intimidation, arrest, physical ill-treatment and arbitrary detention. It requested that the United Republic of Tanzania take immediate measures to protect the Masai community, take concrete steps to find a peaceful solution to the dispute, take concrete measures to ensure access of Masai people to their traditional lands and provide adequate compensation, as appropriate, for the alleged losses suffered.[111]

L. Migrants, refugees and asylum seekers

72. UNHCR stated that refugees were required to stay in designated areas and to apply for special permits should they wish to leave those areas. It recommended relaxing the restrictions on movement to allow refugees to maximize livelihood opportunities, and implementing new legislation to grant work permits in urban and other non-camp areas.[112]

73. The Committee on the Rights of the Child expressed concern about the scarce opportunities for children, particularly long-term refugee children, to access education and develop life skills, and the insufficient assistance for unaccompanied children in the camps.[113]

74. UNHCR stated that the existing policy on the education of refugee children under the 2003 refugee policy required that education offered to refugee children be tailored with a focus on their repatriation and reintegration upon return to their country of origin; therefore, education was based on the curricula used in the countries of origin. UNHCR urged a relaxation of that policy in favour of education for integration, as opposed to a focus on repatriation.[114]

M. Right to development, and environmental issues

75. UNCT stated that corruption was a widespread problem that hampered development and human rights, including delivery of public services such as health care and education, access to justice and law enforcement and civil and political rights. The United Republic of Tanzania had suffered from egregious corruption scandals. Indicators on control of corruption and perception of corruption indicated a deteriorating corruption situation.[115] The Committee on Economic, Social and Cultural Rights expressed concern that the Prevention and Combating of Corruption Act No. 11 of 2007 had not been implemented effectively.[116]

76. The Committee on the Rights of the Child expressed concern that the economic growth resulting from the extractive industries had not led to increased investment in children and that the United Republic of Tanzania continued to over-rely on donor funding. It recommended that the State prioritize and substantially increase the budgetary allocations in the social sectors to ensure implementation of the economic, social and cultural rights of children.[117]

77. UNCT stated that the management of natural resources by Government faced significant challenges, including those related to deforestation, illegal fishing and poaching. A number of rivers and streams in urban areas were being used for the indiscriminate disposal of different types of waste materials from industries, households and other entities, giving rise to a number of health concerns.[118]

78. UNCT stated that the United Republic of Tanzania had begun to experience significant effects of climate change. Temperatures in different regions of the country had increased. Rainfall was expected to decrease in the dry season and increase in the rainy season, and extreme weather-related events, such as droughts and floods, were expected to increase in severity, duration and frequency. It noted that the State must strengthen its capacity to deal with climate change.[119]

Notes

[1] Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on the United Republic of Tanzania from the previous cycle (A/HRC/WG.6/12/TZA/2).

[2] The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

[4] See CRC/C/TZA/CO/3-5, paras. 50-51, 66-67 and 76-77.

[5] See E/C.12/TZA/CO/1-3, para. 32.

[6] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[7] 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.

[8] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); and Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

[9] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

[10] International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).

[11] ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), and Domestic Workers Convention, 2011 (No. 189).

[12] "Joint submission by the UN Country Team (UNCT) in Tanzania for the UN compilation report: UNCT report for the universal periodic review – Tanzania – 25th session of the UPR Working Group 2016" (country team joint submission for the universal periodic review of the United Republic of Tanzania), para. 6.

[13] See E/C.12/TZA/CO/1-3, para. 6

[14] Ibid., para. 13

[15] See CRC/C/TZA/CO/3-5, paras. 70-71

[16] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 5.

[17] According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles), B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination), C: no status (not in compliance with the Paris Principles).

[18] The list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights is available from http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf.

[19] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 8.

[20] See CRC/C/TZA/CO/3-5, paras. 17-18.

[21] For the recommendation, see A/HRC/19/4, para. 85.13.

[22] "Submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights' compilation report universal periodic review: 2nd cycle, 25th session, the United Republic of Tanzania" (UNHCR submission for the universal periodic review of the United Republic of Tanzania), p. 3.

[23] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 9.

[24] See CRC/C/TZA/CO/3-5, paras. 27-28.

[25] See CCPR/C/TZA/CO/4, para. 28.

[26] CCPR/C/TZA/CO/4/Add.1.

[27] Letter dated 3 April 2013 from the Human Rights Committee addressed to the Permanent Representative of the United Republic of Tanzania to the United Nations Office and other international organizations in Geneva and to the Permanent Mission of the United Republic of Tanzania to the United Nations Office in New York, p. 2. Available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/TZA/INT_CCPR_FUL_TZA_20357_E.pdf.

[28] See CEDAW/C/TZA/CO/6, para. 59.

[29] CEDAW/C/TZA/CO/6/Add.1.

[30] Letter dated 19 March 2013 from the Committee on the Elimination of Discrimination against Women addressed to the Permanent Representative of the United Republic of Tanzania to the United Nations Office and other international organizations in Geneva, p. 2. Available from http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/TZA/INT_CEDAW_FUL_TZA_13624_E.pdf.

[31] CEDAW/C/60/D/48/2013.

[32] Ibid.

[33] For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx.

[34] See CRC/C/TZA/CO/3-5, paras. 17-18.

[35] Ibid., para. 73.

[36] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 22.

[37] CEDAW/C/60/D/48/2013.

[38] See CRC/C/TZA/CO/3-5, para. 25. See also E/C.12/TZA/CO/1-3, para. 5.

[39] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 31.

[40] Ibid., para. 13.
[41] See CRC/C/TZA/CO/3-5, paras. 34-35.
[42] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 5.
[43] Ibid., paras. 46 and 48.
[44] See CRC/C/TZA/CO/3-5, paras. 29-31.
[45] See country team joint submission for the universal periodic review of the United Republic of Tanzania, paras. 10-11.
[46] See CRC/C/TZA/CO/3-5, paras. 44-45.
[47] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 16.
[48] Ibid., para. 17.
[49] See CRC/C/TZA/CO/3-5, paras. 36-37.
[50] See E/C.12/TZA/CO/1-3, para. 14.
[51] See CRC/C/TZA/CO/3-5, paras. 42-43.
[52] Ibid., paras. 64-65.
[53] Ibid., paras. 40-41 and 69.
[54] See CRC/C/TZA/CO/3-5, paras. 74-75.
[55] See E/C.12/TZA/CO/1-3, para. 16.
[56] See CRC/C/TZA/CO/3-5, paras. 68-69.
[57] Ibid., paras. 70-71.
[58] Ibid.
[59] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 45.
[60] Ibid., para. 14.
[61] Ibid., para. 5.
[62] See CRC/C/TZA/CO/3-5, paras. 72-73.
[63] Ibid.
[64] OHCHR, "Pillay condemns "abhorrent" attacks on people with albinism in Tanzania ", press release, 5 March 2013. Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13074&LangID=E.
[65] OHCHR, "People with albinism: Pillay urges more protection after barbaric killing in Tanzania", press release, 15 May 2014. Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14601&LangID=E.
[66] See CRC/C/TZA/CO/3-5, paras. 48-49.
[67] Ibid.
[68] Ibid., paras. 29-31. See also country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 47.
[69] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 51.
[70] See E/C.12/TZA/CO/1-3, para. 9.
[71] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 22.
[72] Ibid., para. 58.
[73] See E/C.12/TZA/CO/1-3, para. 10.
[74] Ibid., para. 11.
[75] Ibid., para. 15.
[76] Ibid., para. 12.
[77] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 35.
[78] See E/C.12/TZA/CO/1-3, para. 19.
[79] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 56.
[80] See E/C.12/TZA/CO/1-3, para. 21.
[81] Ibid., para. 20.

[82] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 55.
[83] See CRC/C/TZA/CO/3-5, paras. 54-55.
[84] See E/C.12/TZA/CO/1-3, para. 23.
[85] See CEDAW/C/TZA/Q/7-8, para. 18.
[86] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 39.
[87] Ibid., para. 37.
[88] Ibid., para. 40.
[89] Ibid., para. 42.
[90] Ibid., para. 41.
[91] Ibid., para. 43.
[92] Ibid., para. 32.
[93] See CRC/C/TZA/CO/3-5, paras. 58-59.
[94] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 44.
[95] See CRC/C/TZA/CO/3-5, paras. 58-59.
[96] Ibid., paras. 60-61.
[97] See E/C.12/TZA/CO/1-3, para. 26.
[98] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 19.
[99] See "Contribution of UNESCO to compilation of UN information, United Republic of Tanzania", (UNESCO submission for the universal periodic review of the United Republic of Tanzania), paras. 21-25.
[100] See E/C.12/TZA/CO/1-3, para. 28.
[101] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 21. See also UNESCO submission for the universal periodic review of the United Republic of Tanzania, para. 28.
[102] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 21.
[103] See CRC/C/TZA/CO/3-5, paras. 62-63.
[104] See country team joint submission for the universal periodic review of the United Republic of Tanzania, paras. 21 and 25.
[105] See E/C.12/TZA/CO/1-3, para. 26.
[106] See CRC/C/TZA/CO/3-5, paras. 60-61.
[107] Ibid., paras. 52-53.
[108] Ibid.
[109] See E/C.12/TZA/CO/1-3, para. 22.
[110] See CEDAW/C/TZA/Q/7-8, para. 20.
[111] Letter dated 1 March 2013 from the Committee on the Elimination of Racial Discrimination addressed to the Permanent Mission of the United Republic of Tanzania to the United Nations Office and other international organizations in Geneva, p. 2. Available from http://www2.ohchr.org/english/bodies/ccrd/docs/early_warning/Tanzania1March2013.pdf.
[112] UNHCR submission for the universal periodic review of the United Republic of Tanzania, p. 6.
[113] See CRC/C/TZA/CO/3-5, paras. 64-65.
[114] UNHCR submission for the universal periodic review of the United Republic of Tanzania, p. 7. See also country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 20.
[115] Country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 5, which referred to sources from the World Bank, the Worldwide Governance Indicators (2013) and sources from Transparency International, including the Corruption Perceptions Index 2014.
[116] See E/C.12/TZA/CO/1-3, para. 7.
[117] See CRC/C/TZA/CO/3-5, paras. 13-14.
[118] See country team joint submission for the universal periodic review of the United Republic of Tanzania, para. 57.
[119] Ibid., para. 54.

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Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21

United Republic of Tanzania

The present report is a summary of 25 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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Please recycle

I. Information provided by the accredited national human rights institution of the State under review in full compliance with the Paris Principles

A. Background and framework[2]

1. CHRAGG stated that the United Republic of Tanzania (Tanzania) had not ratified CAT, ICRMW and ICPPED and recommended ratification of those Conventions.[3]

B. Cooperation with human rights mechanisms

2. CHRAGG stated that over 50 percent of the supported recommendations from Tanzania's first universal periodic review (2011 review),[4] had been implemented through enactment or amendment of legislation, formulation of policies, and establishment of various programmes and other initiatives.[5]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law (part to be added only if relevant)

3. CHRAGG expressed concern that Tanzania had not made any notable progress towards the abolition of capital punishment and recommended the launch of a comprehensive initiative in this regard.[6]

4. CHRAGG expressed concern about extra judicial killings by law enforcement officials when combating violent crimes and the excessive use of force when handling public assemblies and rallies. It recommended the prosecution of alleged perpetrators, training on human rights for law enforcement personnel, and revising the Police and Auxiliary Services Act and other relevant laws in line with human rights standards.[7]

5. CHRAGG stated that there were continued incidences of brutal attacks and killings of persons with albinism and older women. The killings of persons with albinism have been attributed to superstitious beliefs. CHRAGG recommended bringing to justice perpetrators as well as end users and beneficiaries of the body parts of persons with albinism; and enhancing public awareness campaigns to stamp out superstitious beliefs.[8]

6. CHRAGG stated that conditions such as inadequate food, poor sanitation and health facilities remained in the prisons.[9] Also, 80 percent of the children held in prisons and police cells were not separated from adults. Children had limited access to legal services and there were inadequate social services to handle children in conflict with the law. There was only one juvenile court and no retention home for juvenile offenders in Zanzibar.[10]

7. CHRAGG stated that there were recurring land disputes characterised by forced evictions, delayed and inadequate compensations, and violent conflict between farmers and pastoralists.[11]

8. CHRAGG stated that persons with albinism were dying from cancer because they could afford the preventative and treatment services. It recommended that Tanzania ensure availability of free health services including sunscreen lotions, diagnosis, and treatment of skin cancer.[12]

9. CHRAGG recommended the allocation of an adequate budget for education, the timely payment of teachers' salaries and other remuneration and the full implementation of the education policies.[13]

10. CHRAGG recommended the allocation of adequate resources to implement the Persons with Disabilities Act.[14]

11. CHRAGG stated that Tanzania was yet to formally recognise its indigenous communities.[15]

II. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations

12. CS recommended the ratification of ILO Convention 169.[16]

2. Constitutional and legislative framework

13. JS5 stated that although people expressed their opinions on the proposed Constitution to the Constitutional Review Commission, those opinions were disregarded by the Constituent Assembly.[17]

14. ADF International stated that while the proposed Constitution provided for "safe motherhood" and "safe reproductive health" it must be clarified that those provisions did not create a right to abortion.[18] The proposed Constitution must recognize that the right to life is inherent and must explicitly protect the right to life from conception.[19] Also, the proposed Constitution failed to recognize the importance of the family.[20]

15. ARTICLE 19 stated that the Cybercrimes Act 2015 did not provide any procedural safeguards for human rights; imposed disproportionate criminal sanctions; and conferred discretionary power on law enforcement officials to conduct searches without judicial oversight.[21] It recommended amending the Act in conformity with international standards in relation to freedom of expression.[22]

16. JS7 stated that Tanzania currently lacked a comprehensive data protection and privacy law. It recommended enacting a law on data protection and privacy in compliance with international human rights standards and establishing an independent data protection authority.[23]

17. ARTICLE 19 recommended amending the Statistics Act 2015 in conformity with international standards of freedom of expression,[24] as well as all laws infringing on freedom of expression and access to information;[25] and enacting a progressive law on access to information.[26]

18. ARTICLE 19 stated that the criminalization of defamation was a disproportionate restriction on the freedom of expression.[27] It recommended the decriminalization of defamation and the introduction of civil remedies.[28]

19. HRW recommended the incorporation of the Rome Statute of the International Criminal Court in national legislation.[29]

20. JS11 stated that Tanzania lacked specific laws to govern corporate social responsibility and recommended the adoption of such laws.[30]

3. Institutional and human rights infrastructure and policy measures

21. JS11 stated that CHRAGG was ineffective due to the organization being poorly funded, having limited power to enforce its recommendations and was unable to have its reports discussed in Parliament.[31]

22. JS11 stated that the public's trust in the National Electoral Commission and the credibility of the Commission was diminished by the appointment of its Chairman and Commissioners by the President of Tanzania, who was also the Chairman of the ruling party, as well as the Commission's reliance on local government leaders in rural areas, who were also presidential appointees.[32] JS11 stated that corruption was rampant and that the National Anti-Corruption Strategy and Action Plan had not been fully implemented.[33]

B. Cooperation with human rights mechanisms

Cooperation with special procedures

23. JS2 recommended extending a standing invitation to the United Nations Special Procedures.[34]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

24. JS13 expressed concern with the application of customary laws which discriminated against women, particularly in matters of inheritance, marriage and property ownership.[35]

25. JS9 and JS11 stated that the inheritance regime violated women's fundamental rights to equality and ownership of property. The multiplicity of legal systems as to the administration of deceased's estate i.e. Statutory law, Customary law, Islamic law and Hindu law gave rise to a conflict of laws leading to the question of choice of law in relation to the distribution of assets from a deceased person's estate. JS9 and JS11 called for the enactment of a uniform and non-discriminatory law on succession; the repealing of all laws which discriminate and deny women's rights including customary laws; and the establishment of family courts.[36]

26. EGPAF stated that traditional practices including "wife inheritance" by a male relative of the deceased husband, female genital mutilation,[37] early or child marriages, and limited property rights for widows, placed women at a higher risk of HIV.[38]

27. EGPAF stated that gender inequality increased the risk of being infected with HIV for women and girls, and interfered with the ability of those living with HIV to seek treatment.[39]

28. EGPAF stated that stigma and discrimination stood in the way of people seeking a diagnosis, disclosing their status to others, and keeping up with treatment for fear of the impact this might have on personal, societal, or professional relations. Children living with HIV suffered from the impact of stigma and discrimination, and poor treatment by teachers and schoolmates often discouraged children from staying in school or taking their medicine. The HIV/AIDS (Prevention and Control) Act of 2008 legislates against discrimination. However the Act contributes to the stigmatization of persons living with HIV through the criminalization of the transmission of the HIV, and encourages persons living with HIV to hide their status, or to refrain from being tested, for fear of the legal ramifications of unintentional transmission.[40]

2 Right to life, liberty and security of the person

29. JS6 stated that at the 2011 review, Tanzania supported recommendations relating to the prosecution of police officers for alleged torture, the protection of the population from violence committed by the security forces and the establishment of an independent mechanism for receiving and investigating complaints in relation to those alleged acts, all of which have not been implemented.[41]

30. JS8 and JS11 stated that there were several incidents of arbitrary arrest, torture, rape and inhuman treatment of members of key populations and sexual minorities, often combined with extortion for money or sex. In most of those cases, the police refused to accept complaints from victims.[42]

31. JS11 stated that Operation Tokomeza Ujangili to stop poaching resulted in the death of nine people as a result of torture. Also, in 22 districts, the military illegally arrested, tortured, and humiliated victims many of whom were indigenous people and pastoralists. JS11 recommended the prosecution of those involved with the Operation; and fair and adequate compensation for the victims.[43]

32. JS3 stated that the root causes of those harmful practices against people with albinism have been insufficiently addressed. The plight of persons living with albinism remained particularly desperate as local beliefs have cemented a perception that they are unnatural or even "cursed" individuals, which resulted in stigma and discrimination against those persons. Criminals, in the guise of traditional healers, encouraged the notorious mutilations of people living with albinism due to their supposed "magical properties."[44]

33. HAI stated that older women have been killed and others brutally wounded by members of the community on the basis of allegations of performing witchcraft.[45] JS3 stated that old women were often subjected to stigma, ostracism and violence, usually in response to a misfortune that has affected a certain community.[46]

34. UTSS stated that Tanzania expressed support for five recommendations relating to people with albinism.[47] As regards the recommendation on launching an education and awareness campaign to prevent stigmatization of persons with albinism, the efforts undertaken have been modest given the scale of the problem.[48] Efforts undertaken to implement the recommendation to protect the rights of people with albinism had proven to be insufficient to prevent attacks against people with albinism.[49] In follow-up to the recommendation to ensure protection of persons with albinism, people with albinism had been moved to shelters which were overcrowded, had unsatisfactory sanitary conditions, and a staff who lacked the awareness of the specific medical needs of people with albinism. There were also reports of sexual and psychological abuse.[50] UTSS stated that Tanzania had not fully committed the resources to halt the attacks against people with albinism despite expressing support for the recommendation to strengthen efforts to halts killings of people with albinism. Attacks against people with albinism continued with an increase of such violence leading up to the general elections in 2015.[51]

35. GIEACPC stated that at the 2011 review, Tanzania rejected recommendations to prohibit corporal punishment.[52] Corporal punishment of children in mainland Tanzania is lawful in all settings – the home, alternative care settings, day care, schools, penal institutions, and as a sentence for crime. In Zanzibar, corporal punishment is prohibited as a sentence for crime and in residential institutions, approved schools and remand homes, but it is lawful in other settings.[53]

36. JS3 stated that there was evidence of teachers adopting controversial approaches to education and behaviour management including the use of offensive language, verbal abuse and neglect.[54]

37. JS3 stated that sexual abuse of children represented a growing phenomenon in Tanzania. In most cases, the abuse was perpetrated by members of the family and generally not reported. There were also cases of child sexual abuse of 'house girls' by people for whom they worked. Female pupils have been exposed to sexual violence by their teachers.[55]

38. HRW stated that laws did not adequately protect women and girls against violence, including child marriage. Laws failed to consistently define a child, to require full and free consent to marriage, and to criminalize marital rape.[56]

39. HRW stated that victims of child marriage were often reluctant to seek help from the authorities, as they lacked confidence in the justice system. Victims were often subjected to threats of retaliation from the perpetrator and his family, and to community pressure to solve conflicts internally. Those who did seek justice experienced barriers in accessing the formal justice system and pressure to have matters adjudicated through customary processes. These problems were perpetuated by discriminatory customary and Islamic laws and practices on marriage, lack of shelters for survivors of gender-based violence, and poor birth and marriage registration.[57]

40. CRR stated that at the 2011 review, Tanzania accepted recommendations to address the high level of violence against and girls.[58] However, Tanzania was still failing to effectively implement child protection laws, policies, and action plans throughout the country.[59]

41. CRR stated that early marriage was widespread. The prevalence of early marriage was in part due to the Marriage Act of 1971 which set a disparate minimum age of marriage for males and females, 18 and 15 years, respectively. Even though the law required girls who marry before the age of 18 years to obtain permission from their parents, this provision failed to protect the vast majority of girls, who were compelled to marry by their parents. Furthermore, the law allows marriage as early as 14 years of age with court approval. Some customary and religious laws also allow the marriage of girls who have reached puberty, which can be before the age of 14.[60] EGPAF stated that early and forced marriage was a HIV risk factor for girls.[61]

42. JS6 cited cases of arbitrary arrests and detention of pastoralists and hunter-gatherers, and made recommendations including the setting up of an independent commission of enquiry to investigate the unlawful arrests and other violations.[62]

43. JS11 stated that prisons conditions throughout the country were poor and that a draft prison policy was yet to be finalized.[63]

44. JS3 recalled that in the 2011 review, Tanzania supported several recommendations to take action against child labour.[64] The measures adopted were unsatisfactorily implemented. JS3 stated that it was particularly concerned by the increasing phenomenon of "house girls" where poor families make their daughters work as housekeepers for wealthy families. These girls, many of whom were minors, were often beaten and enslaved.[65]

45. JS3 stated that there were also reported cases of children, mainly street boys and house girls, being exposed to sexual violence for commercial purposes.[66]

46. JS9 stated that despite notable efforts to address trafficking in persons Tanzania was yet to comply with the minimum standards for the elimination of trafficking in persons. It urged Tanzania to implement the National Anti-Trafficking in Person Action Plan of 2013-2017 and the Anti-Trafficking in Persons Act 2008 and to allocate more resources to the Victims Assistance Fund established by the 2008 Anti-Trafficking in Persons Act.[67]

3. Administration of justice, including impunity (part to be added only if relevant), and the rule of law

47. JS6 stated that at the 2011 review, Tanzania supported a recommendation to improve the efficiency of the justice system by inter alia introducing a case management system, which has been partly implemented.[68] Although there has been an increase in the number of judges in both the High Court and the Court of Appeal, no speed-tracking system of the long pending cases has been put in place.[69]

48. JS6 stated that court cases involving pastoralists and hunter-gatherers' have been subjected to unreasonable delays. For instance, "the Loliondo Constitutional case" has been pending before the High Court of Tanzania since December 2010, despite the case being filed under a certificate of urgency.[70] JS6 recommended that expeditious consideration of all cases involving constitutional litigation and public interest.[71]

49. TAWIA stated that widows faced challenges where their deceased husbands had not executed a will.[72] It called for the establishment of special units within the court system to consider inheritance cases and other matters relating to the rights of widows and their children.[73]

50. JS11 stated that the criminal justice system was weak which contributed to impunity.[74] It also stated that cases involving children were not expediently handled because there was only one juvenile court. It recommended an increase in resources for the juvenile justice sector.[75]

51. ADF International stated that in 2015, Tanzania championed a bill that would make provision for Islamic (Kadhi) courts in the legal system. The courts will only have jurisdiction over Muslims in family matters. Ruling from those courts will not be appealable to the High Court and will be enforceable by government bodies. Muslim women will no longer have the protection of the state in issues of marriage, divorce, child custody, and inheritance.[76] ADF International recommended the removal of this bill.[77]

52. JS3 stated that the prosecution of alleged perpetrators of harmful practices against people with albinism was slow and expensive, and victims were often discriminated against throughout process.[78] JS13 stated that Tanzania was unwilling or unable to prosecute alleged offenders of violence against persons with albinism.[79] JS12 recommended apprehension and prosecutions of principle offenders instead of only their agents; nationwide education and awareness campaigns to prevent stigmatization of persons with albinism; and improvement of schools and other education facilities to meet the needs of persons with albinism.[80]

53. JS11 stated police officers had refused to accept complains from members of key populations and sexual minorities, thereby denying them access to justice.[81]

54. JS6 stated that on 15 March 2013, the Court of Appeal in Civil Appeal No.77 of 2012 ruled in favour of the Barabaig pastoralists of Vilimavitatu village declaring that a Wildlife Management Area had been established without the free, prior and informed consent of the pastoralists and that the land should be returned to the community. However, on 4 September 2013 the authorities evicted the Barabaig pastoralists. In another similar case, in 2010, the Pastoralists of Mabwegere Village, Kilosa District, filed an appeal, in a case involving the invasion of their land by famers. On 30 January 2012, the Court of Appeal ruled in their favour, but the Kilosa District Council refused to implement the judgment, with the Attorney General advising the Prime Minister that the judgment was not implementable.[82]

4. Right to privacy, marriage and family life

55. LGBT Voice stated that during the 2011 review, Tanzania had not expressed support for recommendations to repeal the criminal provisions in relation to sexual orientation and to combat discrimination based on sexual orientation and gender identity.[83] As a consequence of the criminalization of homosexual conduct, the police harass and demean LGBT persons with impunity.[84]

56. JS7 expressed concern about the monitoring of telephone communication and other correspondences, given that the legal framework and oversight of the interception of communication falls short of applicable international law.[85]

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

57. ADF International cited cases of attacks against Christians,[86] and stated that while Tanzania in theory did guarantee freedom of religion, in practice this freedom was hampered.[87]

58. ARTICLE 19 and JS2 stated that at the 2011 review, Tanzania committed to guaranteeing freedom of expression, association and assembly.[88] However, Tanzania had not made significant progress in implementing the relevant recommendations. Laws negatively affecting freedom of expression have not been repealed or amended and the space for media to freely operate has become increasingly restricted. Tanzania has also not passed an access to information law.[89]

59. JS5 and JS11 stated that journalists faced harassments, threats, detention, death, torture, defamation, suspension from their employment, and denial of freedom of movement.[90] ARTICLE 19 and JS2 recommended an investigation into the alleged harassment and attacks against journalists and bringing those responsible to justice.[91]

60. JS5 cited cases of suspension of newspapers and radio stations by the Minister of Information and stated that those actions denied Tanzanians the right to information.[92]

61. JS2 expressed concern that peaceful demonstrations have, on occasion, been violently suppressed by the authorities. Persons considered leaders of such protests have been arrested and subjected to judicial persecution.[93]

62. JS2 stated that civil society organisations have been threatened or stigmatized by government officials.[94] JS8 stated that most organizations working with key populations and sexual minorities experienced challenges with the authorities during their registration process.[95]

63. JS9 stated that while there has been an increase in the representation of women in parliament, the judiciary, government bodies and in political parties, women remained under represented in local government.[96]

6. Right to work and to just and favourable conditions of work

64. HRW stated that despite Tanzania expressing its support for recommendations to fully apply the Law of the Child Act and to address child labour as a matter of urgency at the 2011 review,[97] child labour laws remained unenforced. The National Action Plan on Elimination of Child Labour that had been launched in 2009 was not implemented, and labour inspectors rarely inspect small-scale mines for child labour. HRW stated that children as young as 8 years of age risked their lives working in small mines. Child mines have suffered injuries from pit collapses or accidents with tools. They also face long-term health problems such as respiratory disease and musculoskeletal problems from carrying heavy weights.[98]

65. HRW stated that girls on and around mining sites, particularly those working in small restaurants, are sometimes sexually harassed, pressured into having sex, and commercially sexually exploited.[99]

66. JS8 stated that members of key populations and sexual minorities experienced challenges with employment including denial of employment opportunities.[100]

7. Right to social security and to an adequate standard of living

67. JS11 stated that there was no legal protection for the rights of elderly people. Also, elderly people did not have health insurance or a sustainable and pensionable income.[101]

68. JS13 stated that the last annual budget for agricultural sector was 6.5 percent of the national budget. It called for an increase in the budget for the agricultural sector to 10 percent of the national budget, in line with the Maputo Declaration on Agriculture and Food Security, to which Tanzania was a signatory.[102]

69. JS4 stated that since the required fees were unaffordable for small holder farmers, their land rights will remain insecure and possibly under constant threat.[103] In the extractive industry especially mining, artisan miners have not been given priority over large scale mining investors. There were concerns over the harmful impact of the industry on the environment, unlawful evictions of artisan miners and destruction of their livelihoods.[104]

70. JS6 stated that the recommendation on holding responsible alleged perpetrators of forced evictions and pollution of drinking water[105] had been partially implemented. The spilling of toxic materials into river Tighite in Bunda and Lake Bassotu in Hanang had been stopped.[106]

71. JS13 stated that Tanzania had two programs aimed at commercializing and modernizing the agricultural sector and expressed concern that the programs affected the occupation of village land and resulted in forced evictions.[107]

72. JS13 stated that at the 2011 review, Tanzania reported on two initiatives which were expected to offer cheap houses to enable access to adequate housing. It expressed concern over the high prices of the houses and the lack of proper financing mechanisms for the poor.[108]

73. JS10 stated that Tanzania had made efforts in combating poverty, which resulted in economic growth. However, it called for the adoption of strategies that will increase the living standards of the people.[109]

74. CS stated that indigenous peoples experienced higher levels of poverty and food insecurity because of their loss of land and the negative effects of climate change. Poverty rates were especially high in the Hanang and Mbulu districts.[110]

8. Rights to health

75. JS10 stated that public health facilities continued to experience a chronic shortage of essential medicines, medical supplies, equipment and health workers.[111] CRR stated that the health sector was allocated ten percent of the national budget for 2014-2015, which fell short of the fifteen percent committed to by Tanzania, pursuant to the Abuja Declaration.[112] JS10 recommended that Tanzania allocate 15 percent of the national budget to the health sector.[113]

76. CRR stated that at the 2011 review, Tanzania had supported recommendations to significantly reduce the maternal mortality rate, but remained far from achieving the maternal mortality ratio of 193 deaths per 100 000 live births set by the Millennium Development Goals.[114]

77. CRR stated that unsafe abortions contributed to maternal deaths, and that women were forced to have unsafe abortions, resulting in preventable injuries and deaths. Post abortion care was not widely available and accessible. The laws and policies on abortion remained inconsistent, unclear and misunderstood.[115] There was also a low contraceptive prevalence rate and a high unmet need for contraceptives.[116]

78. EGPAF stated that access to age-appropriate information about HIV and sexual and reproductive health services was not sufficiently available, partly due to cultural sensitivities about those issues and to the low secondary school attendance level where such education may be provided to adolescents.[117] HIV-positive women desiring to limit or space the birth of their children were unable to access family planning services.[118] Negative attitudes of health workers prevented women from accessing pre-natal and ante-natal care.[119] There were difficulties testing HIV-exposed infants, especially over the long breastfeeding period.[120]

79. HRW stated that sex workers, people who inject drugs and men who have sex with men experienced violence and discrimination which drove them away from health services.[121] LGBT Voice stated that LGBT individuals struggled to access health care and health information due to widespread discrimination based on sexual orientation and gender identity.[122] JS8 recommended, amongst others, including transgender and intersex people in the national HIV strategies; urging public health providers to make an effort to acknowledge, reach out to, and educate key population groups, as indicated by the Third National Multi-Sectoral Strategic Framework on HIV/AIDS; and providing mandatory trainings on the international standards of non-discrimination to the police, prison and staff and the judiciary with specific emphasis on key populations.[123]

9. Right to education

80. JS10 stated that the disbursement of the capitation grants, which had been introduced to finance the purchase of textbooks and other learning materials, repairs and maintenance of schools, schools' administrative costs and examinations expenses, were limited.[124] It stated that there has been deterioration in the quality of education because of challenges which included overcrowding in classroom, shortage of teaching and learning materials and a shortage of teachers.[125]

81. While commending Tanzania for increasing access to primary school education, JS3 stated that the increase in school enrolment had not been complemented by a proportional increase in qualified teachers and classroom resources. There were 140 to 150 children per class, with children sitting on the floor. In spite of the elimination of public primary school fees and the subsidized secondary school fees, parents continued to experience financial pressures from additional fees for school electricity, stationary, exercise books and uniforms. Those expenses significantly restricted access to education, especially for those living in poverty.[126]

82. JS3 stated that many teachers lacked the required qualifications. Also, due to the lack of pedagogical training and knowledge, teachers often ridiculed children with learning difficulties instead of offering them support. Teacher training should include the study of psychology, pedagogy and counselling.[127]

83. JS10 stated that children with disabilities faced challenges in their learning due to a lack of infrastructures and facilities and an acute shortage of learning materials and teachers.[128] JS3 stated that despite national disability legislation introducing an inclusive approach to education, this methodology was yet to be implemented, thus many children with disabilities were unable to participate in common classes.[129]

84. CRR stated that girls were subjected to mandatory pregnancy testing in schools. A positive pregnancy test usually resulted in the girls being expelled or they simply stop

attending school to avoid the stigma or formal expulsion. A 2014 Education and Training Policy which allowed for the reenrolment of expelled girls, failed to address the forced pregnancy testing and their expulsion.[130]

85. LGBT Voice stated that pupils were expelled from secondary schools solely on the basis of their sexual orientation or gender identity.[131]

86. HRW stated that the right to education is being affected by child labour and child marriage. It stated that girls who are married as children are usually unable to continue with their education.[132]

87. JS10 called for the incorporation of human rights education in the primary and secondary school curricular; as well as a compulsory course on human rights in colleges and universities.[133]

10. Persons with disabilities

88. JS3 stated that children with disabilities experienced discrimination with some families hiding those children at home.[134]

11. Minorities and indigenous peoples

89. CS recalled that at the 2011 review, Tanzania received recommendations in relation to the rights of its indigenous peoples,[135] and JS6 recommended implementing those recommendations.[136]

90. JS6 stated that Tanzania has witnessed escalating cases of "land-grabs" and unlawful evictions of pastoralists and hunter-gatherers from their ancestral land.[137] CS stated that the traditional way of life of the indigenous peoples remained vulnerable to "land-grabbing" and violent conflicts over the use of the land.[138] The land was being constantly taken for investment opportunities, including large-scale crop cultivation, mining, national parks and wildlife conservancies, and tourist attractions like hunting and safari grounds.[139]

91. CS stated that the ongoing conflicts between farmers and pastoralists as they fight over limited land and water resources has been viewed as a sign of a growing social problem that has occurred because of the failure of Tanzania to set aside specific areas for Indigenous pastoralists and farmers.[140] JS11 recommended the establishment of constitutional and legislative mechanisms to protect pastoralists and hunter-gatherers against discrimination and protection of their land, and a review of the Livestock Policy to accommodate pastoralism or development of a new pastoralist policy.[141]

12. Migrants, refugees and asylum-seekers

92. JS1 stated that the mandatory encampment of asylum seekers and refugees, as well as the failure to issue adequate identity papers by the Tanzanian authorities severely limited the freedom of movement of asylum seekers and refugees.[142]

93. JS1 stated that refugees could not satisfy all the requirements to obtain a work permit by virtue of their forced displacement and recommended exempting them from the employer sponsorship requirement and other requirements they were unable to satisfy.[143]

94. Where refugee status has not been granted, JS1 recommended that asylum seekers must have prompt access to fair and individualised refugee status determination and be allowed to appeal any negative decision to a different decision maker.[144]

13. Right to development and environmental issues

95. JS13 stated that Tanzania had not taken affirmative action to address the long standing land conflicts and called for a secure land tenure system to facilitate the sustainable use of resources and land management.[145]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with "A" status)

Civil society

Individual submissions

ADF International	Alliance Defending Freedom, Geneva, Switzerland;
ARTICLE 19	ARTICLE 19, London, UK;
CRR	Centre for Reproductive Rights, New York, USA;
CS	Cultural Survival, Cambridge, USA;
EGPAF	Elizabeth Glaser Pediatric AIDS Foundation, Geneva, Switzerland;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, Geneva, Switzerland;
HAI	HelpAge International, Dar es Salaam, Tanzania;
HRW	Human Rights Watch, Geneva, Switzerland;
LGBT Voice	LGBT Voice Tanzania, Dar es Salaam, Tanzania;
UTSS	Under the same Sun, Surrey, Canada;
TAWIA	Tanzania Widows Association, Dar-es-Salaam, Tanzania.

National human rights institution

CHRAGG	Commission for Human Rights and Good Governance, Dar es Salaam, Tanzania.

Joint submissions

JS1	Asylum Access - Refugee Solutions Tanzania, Church World Service, the Legal and Human Rights Centre, and Children Education Society (Joint Submission 1);
JS2	CIVICUS: World Alliance for Citizen Participation, Johannesburg, South Africa, Tanzania Human Rights Defenders Coalition, and Tanzania Association of NGOs, Tanzania (Joint Submission 2);
JS3	Franciscans International, Edmund Rice International, Marist International Solidarity Foundation, Geneva, Switzerland (Joint Submission 3);
JS4	Mtandao wa Vikundi vya Wakulima Tanzania, Lawyers Environmental Action team, Care Tanzania, Civic Education for poverty and Environmental Management, Journalists Environmental Association of Tanzania, Land Rights Research and Resources Institute, HAKIMADINI, Tanzania (Joint Submission 4);
JS5	Media Institute of Southern Africa - Tanzania Chapter, Media Owners Association of Tanzania, Media Council of Tanzania, Legal and Human Rights Centre, Tanzania Human Rights Coalition, JAMII MEDIA, Free Media Ltd, Tanzania Media Fund, Nola (Joint Submission 5);
JS6	Pastoralist Indigenous Non-Governmental Organisations' Forum, International Working Group on Indigenous Affairs. Tanzania Center for Research and Information for Pastoralism, Community Research and Development Services, Ujamaa Community

	Resource Team, Association for Law and Advocacy for Pastoralists, Tanzania Pastoralists Hunter-gatherers Organisation, Tanzania Natural Resources Forum, Longido Community Development Organisation, Pastoralists Livelihood Support and Empowermnt Progrmme, Parakuyo Indigenous Community Development Organisation, Hadzabe Survival Council of Tanzania, Ngorongoro NGOs Network, Laramatak Development Organization, Maasai Women Development Organization, Huduma ya Injili na Maendeleo ya Wafugaji, Monduli Pastoralists Development Organization, Tanzania Pastoralists Community Forum, Umoja wa Wafugaji Mpanda, Community Economic Development and Social Transformation, KINNAPA Development Programme, Sunya Ward Education And Training, Pastoral Women Council and Longido Community Development Organization, Arusha, Tanzania (Joint Submission 6);
JS7	Privacy International, Tanzania Human Rights Defenders Coalition, Collaboration on International ICT Policy in East and Southern Africa, London, UK (Joint Submission 7);
JS8	Community Health Education Services & Advocacy, Tanzania Community Empowerment Foundation, Young Women Initiative Group, Warembo Forum, KBH Sisters, Tanzania Trans Initiative, Amka Empowerment, LGBT Voice, House of Empowerment and Awareness in Tanzania, Tanzania Network of People Who Use Drugs, Community of Hope and Support, Youth Movement for Change, Zanzibar Youth Empowerment Association, Tanzania Service Foundation, Zanzibar Society for Sustainable Environment, Wake Up and Step Forward Organization, Community Peer Support Services, Self Help Initiatives Group, and Youth Wings (Joint Submission 8);
JS9	Tanzania Women Lawyers Association, Tanzania Media Women Association, Tanzania Women Widows Association, Women in Law and Development in Africa, Women's Legal Aid Centre, Zanzibar Female lawyers Association, and Women Action Towards Economic Development, Dar-es-Salaam, Tanzania (Joint Submission 9);
JS10	Tanzania Council for Social Development, SIKIKA, HAKI ELIMU, Tanzania Education Network, Legal and Human Rights Centre, Benjamin Mkapa AIDS Foundation, Children Education Society, and Stay Awake Network Activities (Joint Submission 10);
JS11	Action Aid, Action for Democracy and Local Governance, Arusha NGO Network, Association of NGO's in Zanzibar, Asylum Access, Baraza la Katiba Zanzibar, Bethania Empowerment and Support, Better Life, Bloggers Association of Tanzania, Change Tanzania, Children Education Society, Civil Education is the Solution for Poverty and Environmental Management, Community Development Fund, Community Health Education Services and Advocacy, Community Participation Development Association, Dungonet, Environcare, Gospel Communication Network of Tanzania, Haki Ardhi, Hhaki Elimu, Haki Madini, Hhaki Za Binadamu, Hakikazi Catalyst, Help Street Children and Trust of Tanzania, Home and Care for Aged and Orphans, Humanity Assistance Center, Jamii Media, Jukwaa la Katiba Tanzania, Kasulu Legal Aid, Kiota Women's Health and Development, Kivulini Women's Rights Organization, Lawyers' Environmental Action Team, Legal Aid Committee of the

University of Dar es Salaam, Legal Aid Secretariat, Legal and Human Rights Centre, Leshehabingo, Lindi Women Paralegal Aid Centre, Maasai Women Development Organization, Mbeya Human Rights Organization, Mbeya Human Rights Organization, Mbeya Paralegal Centre, Mbeya Women Organization, Media Council of Tanzania, Media Institute of Southern Africa – Tanzania, Mikono Yetu, Mtandao Wa Jamii Wa Usimamizi Wa Misitu Tanzania, Mtwara Organization for Legal Assistance, Mmtwara paralegal, Musoma Social Development Organization, National Organization for Legal Assistance, Ournalist Environmental Association of Tanzania, Parakuiyo Pastoralists Indigenous Community Development Organization, Pastoral Women's Council of Tanzania, Pastoralists Indigenous Non-Governmental Organization, Pastoralists Tanzania Center for Research and Information on Pastoralism, Policy Forum, Restless Development, Rural Women Development Initiative, Save the Children, Save the Children Resource Centre, Shamsia Women's Group, Sikika, Society for Rural Development Initiative, Society for Women and Aids, Southern Africa Human Rights NGO-Network, Stay Awake Network Activities, Tanganyika Law Society, Tanzania Albino Society, Tanzania Child's Right Forum, Tanzania Council for Social Development, Tanzania Early Childhood Development Network, Tanzania Federation of Disabled People's Organizations, Tanzania Gender Network Programme, Tanzania Human Rights Defenders Coalition, Tanzania Media Fund, Tanzania Natural Resource Forum, Tanzania Network of Legal Aid Providers, Tanzania Pastoralist and Hunter-Gatherer Organization, Tanzania Pastoralist Community Forum, Tanzania Partnership Development Organization, Tanzania Widows Association, Tanzania Women Land Access Trust, Tanzania Women Lawyers Association, Tanzania Youth Alliance, Tanzania Youth Potential Association, Tanzania Youth Vision Association, The Oil, Natural Gas and Environmental Alliance, Tree of Hope Tanzania, Tufae, Ujamaa Community Resource Team, Under theSame Sun, Union of Tanzania Press Club, Wadada Centre, Women and Children First, Women in Law and Development in Africa, Women Wakeup, Women's Legal Aid Centre, Wote Sawa, Youth to Youth, Zanzibar Aids Association and Support for Orphans, Zanzibar Association for Children Advancement, Zanzibar female lawyers association, Zanzibar legal service centre (Joint Submission 11);

JS12 Shivyawata & Under the Sun, Dar-es-Salaam, Tanzania;

JS13 Mtandao wa Vikundi Vya Wakulima Tanzania, Tanzania Home Economics Association, Meru Community Bank, Community Banks Association of Tanzania, Mwanga Community Bank, Tanzania Women's Lawyers Association, Mwanza Rural Housing Programme, Mwanza – Tanzania, We Effect (Joint Submission 13).

[2] The following abbreviations are used in this report:

CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] CHRAGG, paras. 5and 6.

[4] See Report of the Working Group on the Universal Periodic Review, United Republic of Tanzania, A/HRC/19/4.
[5] CHRAGG, paras. 2 and 5.
[6] CHRAGG, paras. 7 and 8.
[7] CHRAGG, paras. 11 and 12.
[8] CHRAGG, paras. 9 and 10.
[9] CHRAGG, para. 13. CHRAGG made a recommendation (para. 14).
[10] CHRAGG, para. 15. CHRAGG made recommendations (para. 16).
[11] CHRAGG, para. 23. CHRAGG made recommendations (para. 24).
[12] CHRAGG, paras. 9 and 10.
[13] CHRAGG, paras. 19 and 20.
[14] CHRAGG, paras. 17 and 18.
[15] CHRAGG, para. 25. CHRAGG made recommendations (para. 26).
[16] CS, p. 7.
[17] JS5, paras. 40-45. JS5 made recommendations (paras. 47 – 51. See also JS11, paras 45 and 46.
[18] ADF International, paras. 20-23.
[19] ADF International, paras. 24 and 25.
[20] ADF International, para. 26.
[21] ARTICLE 19, para. 6. See also JS5, paras. 17 -19.
[22] ARTICLE 19, para. 24 (ii). See also JS2, para. 7.1 and JS7 para. 46.
[23] JS7, paras. 39 and 49.
[24] ARTICLE 19, para. 24 (ii).
[25] ARTICLE 19, para. 24 (i). See also JS11, para. 10.
[26] ARTICLE 19, para. 24 (vi).
[27] ARTICLE 19, para. 13.
[28] ARTICLE 19, para. 24 (iv). See also JS5, para. 12.
[29] HRW, p. 4.
[30] JS11, para. 64.
[31] JS11, para. 37.
[32] JS11, para. 48. JS11 made recommendations (paras. 49 and 50).
[33] JS11, para. 56. JS11 made recommendations (paras. 57 and 58).
[34] JS2, para. 7.6.
[35] JS13, para. 12.
[36] JS9, paras. 5-11; and JS11, paras. 2-14 and 22. See also HAI, para. 6.
[37] See also JS9, paras. 34-42.
[38] EGPAF, para. 19.
[39] EGPAF, para. 18.
[40] EGPAF, paras. 15 – 17.
[41] JS6, para. 6. For recommendations see A/HRC/19/4 (2011), paras. 85.43, 85.44, 85.45 and 85.67.
[42] JS8, para. 2.1. JS8 made recommendations (paras. 2.6-2.9); and JS11, para. 71. JS11 made a recommendation (para. 73).
[43] JS11, paras 102 and 103.
[44] JS3, para. 25 – 28.
[45] HAI, para. 8. HAI made recommendations (paras. 12 and 13.
[46] JS3, para. 29.
[47] UTSS, para. 9.
[48] UTSS, paras. 10-12, referring to A/HRC/19/4, para. 85.33.
[49] UTSS, paras. 12 and 13, referring to A/HRC/19/4, para. 85.34.
[50] UTSS, paras. 16-18, referring to A/HRC/19/4, para. 85.35. UTSS made recommendations (50-59).
[51] UTSS, paras. 19-21,referring to A/HRC/19/4, para. 85.39. For information on the attacks see paras. 29-38.
[52] GIEACPC, para. 1.1, referring to A/HRC/19/4 (2011), paras. 85.7, 86.37, 86.38 and 86.47.
[53] GIEACPC, paras. 2.1 – 2.7. See also JS10, paras. 19 and 20.
[54] JS3, para. 15.
[55] JS3, paras. 36 and 37.
[56] HRW, p. 2. HRW made recommendations (p. 2).

[57] HRW, p. 2. HRW made recommendations (p. 2).
[58] CRR, para. 16; referring to A/HRC/19/4 (2011), paras. 85.15, 85.25, 85.62, 86. 36, 86.37 (endnote 65).
[59] CRR, paras. 16 and 17. CRR made a recommendation (p. 7, para. (e).
[60] CRR, paras. 18 and 19. CRR made a recommendation (p. 7, para. (f)).
[61] EGPAF, para. 23.
[62] JS6, paras. 18-26.
[63] JS11, para. 51. JS11 made recommendations (paras. 51 and 52.).
[64] JS3, para. 31, referring to A/HRC/19/4 (2011), paras. 85-60, 85.61, 85.74 (all recommendations have been supported) and 86.37 (recommendation has been supported in part; See A/HRC/19/4/Add.1 (2012), para. 3).
[65] JS3, paras. 32 and 33. JS3 made a recommendation (para. 34).
[66] JS3, para. 38. JS3 made recommendations (para. 40).
[67] JS9, paras. 20- 26.
[68] JS6, para. 7. For the recommendation see A/HRC/19/4 (2011), para. 85.66.
[69] JS6, para. 7.
[70] JS6, para. 41. See also JS11, para. 100.
[71] JS6, para. 42.
[72] TAWIA, p. 3.
[73] TAWIA, pp. 5-6.
[74] JS11, para. 59. JS11 made a recommendation (para. 61.)
[75] JS11, paras. 112 and 113.
[76] ADF International, paras. 13 and 16.
[77] ADF International, para. 27.
[78] JS3, para. 25 – 28.
[79] JS13, para. 18.
[80] JS12, paras. 1-3 and paras. 10 – 12. See also JS11, paras. 76-89.
[81] JS11, para71.
[82] JS6, paras. 36 and 37. JS6 made recommendations (paras. 39 and 40).
[83] LGBT Voice, para. 5. For recommendations see A/HRC/19/4 (2011), paras. 87.1 – 87.3.
[84] LGBT Voice, para. 14. LGBT Voice cited cases of abuse (paras. 15 – 20), and made recommendations (para. 21).
[85] JS7, paras. 11-14. It made recommendations (para. 43).
[86] ADF International, para. 6, footnotes 5-7.
[87] ADF International, para. 8. It made a recommendation in this regard (para. 27).
[88] ARTICLE 19, para. 2. JS2, para. 1.5. For recommendations see A/HRC/19/4, paras. 85.72, 85.73, 86.40, 86.41 and 86.43.
[89] ARTICLE 19, para. 3. See also JS2, paras. 1.5 and 7.
[90] JS5, para. 23. For cited cases see paras. 26 – 32. See also JS11, para. 12 and ARTICLE 19, para. 21.
[91] ARTICLE 19, para. 24(v). See also JS2, paras. 7.2 and 7.3 and JS6, para. 33. JS6 made recommendations (para. 34).
[92] JS5, paras. 1 – 7. JS5 made recommendations (paras. 8 - 12).
[93] JS2, paras. 5.2 and 5.3. It made recommendations (para. 7.4.).
[94] JS2, para. 6.1. It made recommends (para. 7.5).
[95] JS8, paras. 32 and 33. JS8 made recommendations (pars. 34 and 35).
[96] JS9, paras. 12 – 19. See also JS11, paras. 17-19.
[97] For recommendations see A/HRC/19/4 (2011), paras. 85.6 and 85.59.
[98] HRW, p. 1. HRW made recommendations (p. 1).
[99] HRW, p. 1. HRW made recommendations (p. 1).
[100] JS8, para. 4.1. JS8 made a recommendation (para. 4.5.)
[101] JS11, para. 90. JS11 made recommendations (paras. 91 and 92).
[102] JS13, para.11.
[103] JS4, p. 4.See also JS13, para.8.
[104] JS4, p. 3. JS4 made recommendations (paras. 4.1-4.8).
[105] This recommendation was noted by Tanzania. See A/HRC/19/4/Add.1 (2012), p. 5.
[106] JS6, para. 9. For the recommendation see A/HRC/19/4 (2011), para. 86.45.

[107] JS13, para. 9.
[108] JS13, para. 10.
[109] JS10, paras. 1 and 2.
[110] CS, p. 6.
[111] JS10, paras. 23 and 24. See also JS9, para. 30. JS9 made recommendations, paras. 31-33 and JS11, para. 105.
[112] CRR, para. 4.
[113] JS10, para. 25. JS11, para. 107.
[114] CRR, para. 2. CRR made a recommendation (p. 7, para. (a).) See also JS3, paras. 21-22. JS3 made recommendations (para.24).
[115] CRR, paras. 5-7. CRR made a recommendation (p. 7, para. (b).
[116] CRR, paras. 9 and 10. CRR made a recommendation (p. 7, para. (c)
[117] EGPAF, para. 7.
[118] EGPAF, para. 9.
[119] EGPAF, para. 12.
[120] EGPAF, para. 14. It made recommendations Section V, paras. 1 and 2.
[121] HRW, p. 3. HRW made recommendations (p. 4). See also JS8, para. 1.3.
[122] LGBT Voice, para. 22. It made recommendations (para. 31).
[123] JS8, paras. 1.6-1.11.
[124] JS10, paras. 7 and 8. JS10 made recommendations. (para. 10).
[125] JS10, para. 5. See also JS11, para. 109.
[126] JS3, paras. 9-11. JS3 made recommendations (para. 18) See also HRW p. 3.
[127] JS3, paras. 16 and 17. JS3 made recommendations (para.18).
[128] JS10, para. 16.
[129] JS3, para. 13.
[130] CRR, paras. 13-15. CRR made a recommendation (p. 7, para. (d). See also HRW, p. 2. HRW made recommendations (p. 3.)
[131] LGBT Voice, para. 32. It made recommendations (para. 34).
[132] HRW, p. 2. See also JS10, para. 15. JS10 made recommendations (para. 17).
[133] JS10, paras. 3 and 4.
[134] JS3, para. 13.
[135] CS, p. 2. CS referred to A/HRC/19/4 (2011), paras. 86.48 – 86.50, and 86.52, which have been noted (A/HRC/19/4/Add.1 (2012), pp. 5-6. See also JS6, para. 11.
[136] JS6, para. 13.
[137] JS6, para. 30. See also JS11, paras. 98 and 99.
[138] CS, p.3.
[139] CS, p. 3.
[140] CS, p. 4.
[141] JS11, paras. 94 and 95.
[142] JS1, paras. 7. It made a recommendation (para. 20). See also JS11, para. 66.
[143] JS1, para. 7 and paras. 29-35. See also JS11, para. 68.
[144] JS1, paras. 36- 42.
[145] JS13, para. 7.